

Congress, relative to the justification of this Department continuing to hold the alcohol plant at Omaha, Nebr.; to the Committee on Agriculture.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CANNON. Committee on appropriations. House Joint Resolution 339. Joint resolution amending an act making temporary appropriations for the fiscal year 1950, as amended, and for other purposes; without amendment (Rept. No. 1263). Referred to the Committee of the Whole House on the State of the Union.

Mr. MURRAY of Tennessee: Committee on Post Office and Civil Service. H. R. 5931. A bill to establish a standard schedule of rates of basic compensation for certain employees of the Federal Government; to provide an equitable system for fixing and adjusting the rates of basic compensation of individual employees; to repeal the Classification Act of 1923, as amended; and for other purposes; with an amendment (Rept. No. 1264). Referred to the Committee of the Whole House on the State of the Union.

Mr. KEE: Committee on Foreign Affairs. H. R. 5895. A bill to promote the foreign policy and provide for the defense and general welfare of the United States by furnishing military assistance to foreign nations; with amendments (Rept. No. 1265). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT of Florida:

H. R. 5983. A bill to provide for the construction of certain Veterans' Administration hospitals, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FARRINGTON:

H. R. 5984. A bill to approve Joint Resolution 12 enacted by the Legislature of the Territory of Hawaii in the regular session of 1949, relating to the granting of land patents in fee simple to certain lessees under homestead leases; to the Committee on Public Lands.

By Mr. MILLER of California:

H. R. 5985. A bill to provide for retirement of certain Government employees in case of reductions in force; to the Committee on Post Office and Civil Service.

By Mr. SASSCER:

H. R. 5986. A bill to authorize the construction at Suitland, Md., of a building or group of buildings for the servicing and storage of film records; to the Committee on Public Works.

By Mr. SPENCE:

H. R. 5987. A bill to amend the National Housing Act, as amended, and for other purposes; to the Committee on Banking and Currency.

By Mr. BENNETT of Florida:

H. R. 5988. A bill authorizing the transfer of certain lands in Putnam County, Fla., to the State Board of Education of Florida for the use of the University of Florida for educational purposes; to the Committee on Public Lands.

By Mr. KEATING:

H. R. 5989. A bill to require persons who obtain commissions for rendering assistance in the obtaining of Government contracts to register with the Congress, and to establish in the General Services Administration an Office of Contract Information; to the Committee on the Judiciary.

By Mr. SASSCER:

H. R. 5990. A bill to provide for the development, administration, and maintenance of the Baltimore-Washington Parkway in the State of Maryland as an extension of the park system of the District of Columbia and its environs by the Secretary of the Interior, and other purposes; to the Committee on Public Works.

By Mr. WALTER:

H. R. 5991. A bill to promote the exploration, development, and conservation of certain resources in the submerged coastal lands and to provide for the use, control, and disposition of said lands and resources and of lands beneath inland waters; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 5992. A bill to promote the exploration, development, and conservation of certain resources in the submerged coastal lands and to provide for the use, control, and disposition of said lands and resources and of lands beneath inland waters; to the Committee on the Judiciary.

By Mr. DOUGHTON:

H. R. 5993. A bill to amend the Internal Revenue Code and the Code of the District of Columbia with respect to the taxation of the salaries of employees of international organizations; to the Committee on Ways and Means.

By Mr. CASE of South Dakota:

H. R. 5994. A bill to repeal the excise tax on telegraph, telephone, radio, and cable service; to the Committee on Ways and Means.

By Mr. McDONOUGH (by request):

H. R. 5995. A bill to facilitate standardization and uniformity of procedure relating to determination and priority of combat connection of disabilities, injuries, or diseases alleged to have been incurred in, or aggravated by combat service in a war, campaign, or expedition; to the Committee on Veterans' Affairs.

By Mr. RAMSAY:

H. R. 5996. A bill to protect the national economy from excessive importations of vitrified and semivitrified dinnerware, kitchenware, art pottery, and blown and pressed glassware, and to aid domestic producers of such articles and the employees of such producers; to the Committee on Ways and Means.

By Mr. TALLE:

H. R. 5997. A bill to exempt certain non-profit religious and charitable organizations from the tax imposed on billiard and pool tables; to the Committee on Ways and Means.

By Mr. DOUGHTON:

H. R. 6000. A bill to extend and improve the Federal Old-Age and Survivors Insurance System, to amend the public assistance and child welfare provisions of the Social Security Act, and for other purposes; to the Committee on Ways and Means.

By Mr. DAWSON:

H. J. Res. 340. Joint resolution to clarify the status of the Architect of the Capitol under the Federal Property and Administrative Services Act of 1949; to the Committee on Expenditures in the Executive Departments.

By Mr. DONDERO:

H. Res. 325. Resolution to authorize the Committee on Armed Services to investigate and study all facts relating to a certain contract for the manufacture of machinery for the Army and the reasons why such contract was not awarded to the lowest responsible bidder; to the Committee on Rules.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRYSON:

H. R. 5998. A bill for the relief of John Sam Smith; to the Committee on the Judiciary.

By Mr. DOYLE:

H. R. 5999. A bill for the relief of Mr. and Mrs. A. C. Lupcho; to the Committee on the Judiciary.

By Mr. FERNÓS-ISERN:

H. R. 6001. A bill to extend the time within which suit may be filed under the Federal Tort Claims Act on the claim of Luis Birriel; to the Committee on the Judiciary.

H. R. 6002. A bill for the relief of Francisco Colchero Arrubarrena; to the Committee on the Judiciary.

By Mr. McMILLAN of South Carolina:

H. R. 6003. A bill for the relief of John E. White; to the Committee on the Judiciary.

By Mr. O'TOOLE:

H. R. 6004. A bill for the relief of Pietro Del Pozzo; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H. R. 6005. A bill for the relief of Moszko Wendrovnik; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 6006. A bill for the relief of Anthony Charles Bartley; to the Committee on the Judiciary.

H. R. 6007. A bill for the relief of Herminia Ricart; to the Committee on the Judiciary.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1410. By Mr. BENNETT of Florida: Memorial of the Florida State Legislature, directing the Secretary of State of Florida to memorialize the Congress to complete a four-lane highway from Jacksonville, Fla., to Los Angeles, Calif.; to the Committee on Public Works.

1411. By Mr. SMITH of Wisconsin: Resolution of the General Conference of the German Congregational Churches of the United States of America at its biennial meeting at Billings, Mont., June 15-19, 1949, urging their Senators and Representatives to do everything in their power to change the status of relatives and friends of German extraction who are suffering under the present law because they are being classified as "Volksdeutsche" and therefore cannot be helped by the IRO, to that of "displaced persons"; to the Committee on the Judiciary.

## SENATE

TUESDAY, AUGUST 16, 1949

(Legislative day of Thursday, June 2, 1949)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Rev. Robert N. DuBose, D. D., of the Association of American Colleges, Washington, D. C., offered the following prayer:

Most gracious God and Father, in whom dwelleth all fullness of light and wisdom, enlighten our minds, we beseech Thee, by Thy holy spirit, in the true understanding of Thy word. May we put our whole trust in Thee only, and so serve and honor Thee that all our lives may glorify Thy holy name and be profitable unto Thee.

We beseech Thee to bless all who give themselves to the service of their country and their fellow men. Endue them with wisdom, patience, and courage to

strengthen this Nation as a great nation in every way. May we ever be conscious of our duties and obligations to the suffering, friendless, and needy.

Be with our country in its decisions of this day. May these United States of America contribute substantially toward bringing unity to God's people. May we make no peace with oppression, and may we reverently use our freedom and power. Help us to employ it in the maintenance of justice among men and nations.

Thou, O Lord, knowest the petitions of our hearts. Hear us we pray. Lighten our darkness, we beseech Thee, O Lord, and by Thy great mercy defend us from all perils and dangers for the love of Thy only Son. Amen.

#### THE JOURNAL

On request of Mr. LUCAS, and by unanimous consent, the reading of the Journal of the proceedings of Monday, August 15, 1949, was dispensed with.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 259. An act to discontinue divisions of the court in the district of Kansas; and  
S. 974. An act to amend the Veterans' Preference Act of 1944 with respect to certain mothers of veterans.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 210. An act to authorize the conveyance of a portion of the United States military reservation at Fort Schuyler, N. Y., to the State of New York for use as a maritime school, and for other purposes;

H. R. 829. An act to authorize the Secretary of Agriculture to accept buildings and improvements constructed and affected by the Buffalo Rapids Farms Association on project lands in the Buffalo Rapids water conservation and utilization project and canceling certain indebtedness of the association, and for other purposes;

H. R. 2015. An act to authorize the Secretary of Agriculture to convey and exchange certain lands and improvements in Grand Rapids, Minn., for lands in the State of Minnesota, and for other purposes;

H. R. 2166. An act to amend title 28, United States Code, section 456, so as to increase to \$15 per day the limit on subsistence expenses allowed to justices and judges while attending court or transacting official business at places other than their official station, and to authorize reimbursement for such travel by privately owned automobiles at a rate of not exceeding 7 cents per mile;

H. R. 2734. An act to amend an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (38 Stat. 730), as amended;

H. R. 4069. An act to reserve certain land on the public domain in Nevada for addition to the Summit Lake Indian Reservation;

H. R. 4090. An act to extend the benefits of section 23 of the Bankhead-Jones Act to Puerto Rico;

H. R. 4231. An act to reserve certain land on the public domain in Utah for addition to the Goshute Indian Reservation;

H. R. 4509. An act to amend the act of February 25, 1920 (41 Stat. 452), and for other purposes;

H. R. 4692. An act to provide for the extension of the term of certain patents of persons who served in the military or naval forces of the United States during World War II;

H. R. 5097. An act for the administration of Indian livestock loans, and for other purposes;

H. R. 5098. An act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, business, and other purposes requiring the grant of long-term leases;

H. R. 5232. An act to amend the Road Act of May 26, 1928 (45 Stat. 750), authorizing appropriations for roads on Indian reservations;

H. R. 5390. An act to authorize the Secretary of the Interior to exchange certain Navajo tribal Indian land for certain Utah State land;

H. R. 5489. An act to ratify and confirm Act 251 of the Session Laws of Hawaii, 1949;

H. R. 5512. An act to amend section 13 of the Federal Farm Loan Act, as amended;

H. R. 5556. An act to make available for Indian use certain surplus property at the Wingate Ordnance Depot, N. Mex.;

H. R. 5601. An act to authorize the exchange of certain lands of the United States situated in Iosco County, Mich., for lands within the national forests of Michigan, and for other purposes;

H. R. 5620. An act permitting the use, for public purposes, of certain land in Hot Springs, N. Mex.;

H. R. 5670. An act authorizing transfer of land to the county of Bernalillo, State of New Mexico, for a hospital site;

H. R. 5679. An act to authorize the transfer of certain agricultural dry land and irrigation field stations to the States in which such stations are located, and for other purposes;

H. R. 5731. An act to discharge a fiduciary obligation to Iran;

H. R. 5764. An act to authorize the granting to the city of Los Angeles, Calif., of rights-of-way on, over, under, through, and across certain public lands;

H. R. 5839. An act to facilitate and simplify the work of the Forest Service, and for other purposes; and

H. J. Res. 230. Joint resolution authorizing the Secretary of the Navy to construct and the President of the United States to present to the people of St. Lawrence, Newfoundland, on behalf of the people of the United States, a hospital or dispensary for heroic services to the officers and men of the United States Navy.

#### ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 3417. An act to amend the act entitled "An act to provide for cooperation by the Smithsonian Institution with State, educational, and scientific organizations in the United States for continuing ethnological researches on the American Indians," approved April 10, 1928, and for other purposes; and

H. R. 3825. An act to amend the Federal Crop Insurance Act.

#### CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Aiken	Hendrickson	Millikin
Anderson	Hickenlooper	Morse
Baldwin	Hill	Mundt
Brewster	Hoey	Murray
Bricker	Holland	Myers
Bridges	Humphrey	Neely
Butler	Hunt	O'Connor
Byrd	Ives	O'Mahoney
Cain	Jenner	Pepper
Capehart	Johnson, Colo.	Robertson
Chapman	Johnson, Tex.	Russell
Chavez	Johnston, S. C.	Saltonstall
Connally	Kefauver	Schoeppel
Cordon	Kem	Smith, Maine
Donnell	Kerr	Smith, N. J.
Douglas	Kilgore	Sparkman
Downey	Knowland	Stennis
Dulles	Langer	Taft
Eastland	Lodge	Taylor
Eaton	Long	Thomas, Okla.
Ellender	Lucas	Thomas, Utah
Ferguson	McCarran	Thye
Flanders	McCarthy	Tydings
Frear	McClellan	Vandenberg
Fulbright	McFarland	Watkins
George	McKellar	Wherry
Gillette	Magnuson	Wiley
Graham	Malone	Williams
Green	Martin	Withers
Gurney	Maybank	Young
Hayden	Miller	

Mr. SALTONSTALL. I announce that the Senator from Kansas [Mr. REED] is absent by leave of the Senate.

The Senator from New Hampshire [Mr. TOBEY] is necessarily absent.

The VICE PRESIDENT. A quorum is present.

#### COMMITTEE MEETINGS DURING SENATE SESSIONS

On request of Mr. LUCAS, and by unanimous consent, a subcommittee of the Committee on Banking and Currency, and the Committee on Interior and Insular Affairs were authorized to hold hearings during sessions of the Senate.

#### REORGANIZATION PLAN NO. 1 OF 1949—DEPARTMENT OF WELFARE

Mr. LUCAS. Mr. President, yesterday we discussed Senate Resolution 147. Some time ago I gave notice that on the convening of the Senate today we would proceed to the consideration of Senate Resolution 147.

I have discussed the question of limitation of debate with the distinguished Senator from Arkansas [Mr. McCLELLAN], chairman of the Committee on Expenditures in the Executive Departments, and the Senator from Nebraska [Mr. WHERRY], the distinguished minority leader. We have more or less agreed upon a time for limitation of debate. I hope that other Senators on both sides of the aisle will cooperate with us. I am now about to make a unanimous-consent request.

I ask unanimous consent that at the hour 6 p. m. today the Senate proceed to vote without further debate upon Senate Resolution 147 disapproving Reorganization Plan No. 1, the time to be controlled by the Senator from Arkansas [Mr. McCLELLAN] for the resolution, and the Senator from Minnesota [Mr. HUMPHREY] against the resolution.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. Mr. President, reserving the right to object, I should like to ask two questions.



First, is it the intention of the distinguished majority leader to take a recess until tomorrow after the vote has been taken?

Mr. LUCAS. The Senator is correct. Mr. WHERRY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. WHERRY. As I understand, no amendment can be offered to the resolution. Is that correct?

The VICE PRESIDENT. That is correct.

Mr. WHERRY. So the vote will be on the resolution at 6 o'clock.

The VICE PRESIDENT. It will be voted either up or down.

Mr. LODGE. Mr. President, I should like to make a statement on this subject, of not more than 10 minutes in length. I should like to know whether the allocation of time is still sufficiently fluid so that it will be possible for me to have that much time, or whether all the time has been bespoken.

Mr. WHERRY. Mr. President, I can assure the distinguished Senator from Massachusetts that there will be plenty of time for him; and I think there will be plenty of time for other Senators who wish to discuss the plan.

Mr. IVES. Mr. President, reserving the right to object, I did not quite hear the colloquy which took place in the midfloor section of the Chamber. Probably the question I am about to ask has already been answered.

Am I to understand that immediately following the vote at 6 o'clock on the resolution relating to Reorganization Plan No. 1 we are to continue during the evening with the resolution relating to Reorganization Plan No. 2?

Mr. LUCAS. No. We will take a recess until tomorrow.

Mr. IVES. And continue tomorrow with Reorganization Plan No. 2?

Mr. LUCAS. That is correct. I am hopeful that we can make a similar arrangement tomorrow with regard to Reorganization Plan No. 2. I have been told that possibly we can do so. However, I shall not submit a unanimous-consent request in that connection at this time.

Mr. LANGER. Mr. President, reserving the right to object, I objected the other day to unanimous consent because at that time I was worried for fear we would not get an opportunity to vote on the matter of telephones for the farmers. This morning the distinguished Senator from Oklahoma [Mr. THOMAS], chairman of the Committee on Agriculture and Forestry, advises me that that bill will be reported very soon, and that we shall have an opportunity to vote on it. I wish to thank the Senator from Oklahoma publicly, and to say that I have no objection to the unanimous-consent request.

The VICE PRESIDENT. Is there objection to the request of the Senator from Illinois [Mr. LUCAS]?

Mr. McCLELLAN. Mr. President, reserving the right to object, I should like to make a brief announcement pertaining to another plan, if I may, before we start this debate.

The VICE PRESIDENT. The resolution is not yet officially and technically before the Senate, and will not be unless this request is agreed to or a motion is made.

Is there objection to the request of the Senator from Illinois [Mr. LUCAS]? The Chair hears none, and it is so ordered.

The Chair makes the observation that the agreement to the unanimous-consent request technically brings the resolution before the Senate. Otherwise it would have to be done by motion.

Mr. LUCAS. I thank the Chair for that observation.

The Senate proceeded to the consideration of the resolution (S. Res. 147) disapproving Reorganization Plan No. 1 of 1949.

The VICE PRESIDENT. Time is now running, to be divided equally.

Mr. McCLELLAN. Mr. President, before I begin the discussion of the resolution, I wish to announce to other Senators that yesterday the senior Senator from Arizona [Mr. HAYDEN] submitted resolution of disapproval with respect to Reorganization Plan No. 7, which would transfer the Public Roads Administration to the Department of Commerce. Because of legal technicalities and complications which are involved, which the resolution sets forth, the Committee on Expenditures in the Executive Departments, to which that resolution was referred, feels that there is not sufficient time to hold hearings on it, because the time for affirmative action on the resolution will expire Thursday night. Therefore I am undertaking today to have the committee authorize me to report it back to the Senate immediately without recommendation. That will give the Senate the opportunity to discuss it. The legal problems which are involved may be considered, and the Senate can exercise its judgment without recommendation from the committee.

The creation of a Department or of separate departments to administer Federal functions in the fields of health, education, and welfare has long been considered by the Congress. Proposals, beginning with the administration of President Harding in 1923, and continuing up to the time when the pending Reorganization Plan No. 1 of 1949 was presented to the Congress on June 20, have been presented for the establishment of a Welfare Department. In 1932, former President Herbert Hoover recommended the establishment of a Department of Welfare. This was followed by President Roosevelt's Committee on Administrative Management, which in 1937, recommended that such a department be established.

The first major step in this direction was accomplished under Reorganization Plan No. 1 of 1939, which created the Federal Security Agency, into which were incorporated certain activities of the Government pertaining to health, education, and welfare. However, each of these functions retained largely an autonomous status under the general supervision of the Federal Security Administrator. Beginning in 1946, President Truman has repeatedly recommended the establishment of a Department of Wel-

fare, and various bills having this objective in view have been introduced and considered by Congress. The latest of these proposals is Reorganization Plan No. 1 of 1949, which the pending resolution—Senate Resolution 147—disapproves.

The Senate Committee on Expenditures in the Executive Departments in the Eightieth Congress reported favorably Senate bill 140, introduced by the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from Ohio [Mr. TAFT], joint sponsors of the pending resolution of disapproval, which would have established a Department of Health, Education, and Security, embracing all the functions now administered by the Federal Security Agency. There is, however, an important fundamental difference between that bill and the present Reorganization Plan No. 1. Senate bill 140 would have retained an autonomous or independent status for each major function of health, education, and welfare. To accomplish this, the bill provided for Under Secretaries of Health, Education, and Welfare, each to have complete jurisdiction over those important functions, and created special bureaus to which the related services would be assigned under the respective Under Secretaries. Reorganization Plan No. 1 of 1949 would vest all functions and complete administrative responsibility in the Secretary of Welfare, with no recognition whatsoever for the autonomy and independence of each activity.

The Senate Committee on Expenditures in the Executive Departments held hearings on Reorganization Plan No. 1 from July 24 to August 3. This committee had conducted lengthy hearings upon the identical issue during the Eightieth Congress.

Incidentally, when the committee was considering Senate bill 140 in the Eightieth Congress, there was also pending before the committee another bill which embraced practically the same plan that is involved in Reorganization Plan No. 1. The committee had both bills under consideration, and reported Senate bill 140, which differs as I have set forth.

As I just said, the committee had conducted lengthy hearings upon the identical issue during the Eightieth Congress, but all persons interested in the matter were again given full opportunity to reiterate their position, and to express their views in favor of or against the plan. In all, 15 witnesses submitted direct testimony, of which the Director of the Budget, the Federal Security Administrator, and the Veterans of Foreign Wars, among others, favored the plan, and 9, including the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Wyoming [Mr. HUNT], the Senator from Ohio [Mr. TAFT], cosponsors of Senate Resolution 147, and the American Medical Association, opposed the plan. In addition, a total of some 1,768 letters, telegrams, and statements received by the Committee were analyzed during the course of the hearings, some of the most pertinent of which were incorporated in the RECORD. Of the communications received, roughly 1,594 were in opposition

to the plan and approximately 174 supported it, most of the opposition coming from doctors and medical groups.

Reorganization Plan No. 1 does not conform to the recommendations of the Commission on Organization of the Executive Branch of the Government, although the Commission did recommend the establishment of a Department of Welfare. The plan is directly contrary to the Hoover Commission's primary recommendation that the United States Public Health Service, a major component of the present Federal Security Agency, be transferred into a proposed United Medical Administration into which would be consolidated all major Federal activities in the field of national health. This cardinal recommendation of the Hoover Commission, which has the unreserved support of former President Herbert Hoover, is omitted from the plan. Proposed legislation drafted by the Hoover Commission, Senate bill 2008, to establish a United Medical Administration, has been introduced in the Senate by the Senator from Utah [Mr. THOMAS] and now is pending before the Committee on Labor and Public Welfare. Reorganization Plan No. 1 also omits the Commission's recommendations which propose the transfer of the Bureau of Employees' Compensation and the Employees' Compensation Appeals Board from the Federal Security Agency to the Department of Labor, and the transfer of the Food and Drug Administration from the Federal Security Agency to the Department of Agriculture.

Mr. LUCAS. Mr. President, will the Senator yield at this point?

Mr. McCLELLAN. I yield.

Mr. LUCAS. I wish to ask a question. Is it the view of the Senator from Arkansas that the adoption of Reorganization Plan 1 would preclude the Congress from enacting Senate bill 2008, which is before the Committee on Labor and Public Welfare?

Mr. McCLELLAN. Of course, Congress cannot be precluded from acting on any proposed legislation upon which it wishes to act. That is correct theoretically. But in practice, it certainly would be more difficult for the Congress to enact a law transferring from the new department one of its vital component functions, to the transfer of which the head of that department had announced his opposition.

Mr. LUCAS. The Senator from Arkansas will agree with me, will he not, that Senate bill 2008 would create an independent agency to administer public health?

Mr. McCLELLAN. It would. That bill was introduced in line with the Hoover Commission's recommendation.

Furthermore, plan No. 1 gives no consideration to the transfer of the Bureau of Indian Affairs from its present location in the Department of the Interior to the proposed Department of Welfare, as the Hoover Commission recommended, or the transfer of the Employees Compensation Appeals Board from the Federal Security Agency to the Department of Labor.

Mr. Hoover testified before the committee on June 30, 1949, that the seven reorganization plans submitted to the

Congress by the President were "steps on the road to better organization of the administrative branch," and that, "insofar as they go," they are substantially in accord with recommendations of the Commission on Organization which he headed.

But, in commenting on plan No. 1, Mr. Hoover specifically emphasized that the Commission had also recommended that all functions of the Federal Security Agency relating to public health be transferred to a proposed United Medical Administration, stating that "under our plan the new department's functions would be limited to education and security." He made it clear that the new Department of Welfare was intended to incorporate only education and welfare activities. As previously pointed out, a bill which would incorporate the Commission's recommendations concerning medical activities is before the Senate Committee on Labor and Public Welfare.

It is contended that creation of the proposed United Medical Administration could not be accomplished by a reorganization plan, but would require a special act of Congress. In connection with this, it must be borne in mind that the Bureau of the Budget in its analysis of the methods of effectuating the Hoover Commission reports, made earlier in this session of Congress, clearly stated that the transfers necessary to incorporate Federal medical activities into an independent United Medical Administration could be effectuated by reorganization plan. If the President can, under provisions of the Reorganization Act of 1949, establish a new Department of Government, such as a Department of Welfare, by reorganization plan it follows I believe that he can transfer already existing functions and consolidate them into an independent administration under statutory limitations as the proposed United Medical Administration, so long as he limits such plan to transfer of existing units, and does not undertake to create new functions.

In brief, Reorganization Plan No. 1 would establish a "Department of Welfare, but not in accordance with the recommendations of the Hoover Commission. It does provide for a Secretary of Welfare, with complete administrative authority over the components of the Department, vests in him power to consolidate the Department's functions, and permits him to delegate such functions at his discretion.

The vesting of this unlimited power in the hands of one man to reorganize those important functions which are of such vital significance to the health, education, and security of every citizen, raises the point upon which most serious opposition to the plan has centered. Section 2 (b) (c) of Reorganization Plan No. 1, which vests in the Secretary of Welfare authority to consolidate and delegate functions as he sees fit, not only destroys the existing autonomy and independence of public health and education, but grants to the Secretary of Welfare such complete control as to give him domination over the administration of those functions, and in the opinion of the majority of the committee would subordinate

health and education to welfare under a Secretary of Welfare.

In view of present definite trends of the Government and of certain elements in it in the direction of socialized public health and federally controlled education, action by the Congress on this plan is one of momentous decision. There can be little doubt as to ultimate objective of the Federal Security Agency's policies toward the establishment of a national compulsory health insurance program, which, in my judgment, is a long step toward socialized medicine. There is also little question that the elevation of the Federal Security Agency to departmental status on the basis proposed by Reorganization Plan No. 1, including the Public Health Department, would lend impetus to and greatly augment efforts of high Government officials to force acceptance of this program through the prestige and power of a Cabinet office. Witnesses appearing before the committee in opposition to the plan repeatedly contended that such a step would greatly weigh the scales in favor of the promulgation of those policies. They further maintained that Cabinet status would enhance the influence of the Federal Security Administrator if elevated to Secretary of Welfare. Thus, he would be far more effective in his advocacy of socialized medicine.

The health of the people is of great importance to the Congress and to the Nation. This is as it should be, but neither programs of compulsion nor of subordination will properly safeguard the health of our people. The tendency of the past decade to subordinate health to security cannot but be detrimental to the general welfare of the Nation. Experience has proven that in times of depression equal attention to health, welfare, and education cannot be expected when relief is of uppermost concern, with emphasis placed upon security. There must be a large degree of independence given to the proper functions of Federal components having jurisdiction over health and education. This, undoubtedly, is a major factor in the Hoover Commission's decision that public health should be an independent function. It obviously would lose any degree of independence it now possesses if Reorganization Plan No. 1 is permitted to become law.

Aside from the revolutionary policy changes incorporated in Plan No. 1, no reasonable expectation of economies can be visualized from the conversion of the Federal Security Agency to a Department of Welfare, nor has any concrete proof been presented that greater efficiency will be achieved in the administration of the various functions involved. The President, in transmitting Reorganization Plan No. 1, stated that over a period "it is probable that substantial reductions in expenditures will result . . . but it is not practicable at this time to itemize such reductions." On the contrary, there is greater probability that increased expenditures will result. Certainly in considering the past history of the Federal Security Agency and the President's advocacy of



a generally expanded social-security program, which he has already presented to the Congress, we have a yardstick pointing toward that end.

The present Federal Security Administrator, Mr. Oscar Ewing, testified he had already accomplished certain savings in administration of the Federal Security Agency, and predicted that he could make further savings, provided he were given the powers Reorganization Plan No. 1 would confer upon him as Secretary of Welfare. In response to questions addressed to him by members of the Committee on Expenditures, however, he could give no examples of expected economies except to reaffirm that he was confident he could effectuate them.

It was the conviction of a majority of the members of the Committee on Expenditures in the Executive Departments that the Senate should withhold favorable action upon the plan and adopt the pending resolution of disapproval, until the Congress has had further opportunity to weigh carefully these serious problems which so vitally affect Federal relations with the health, education, and security of all the States, and with all citizens of the Nation.

In reaching this decision the committee carefully considered the evidence presented at the hearings, weighed the arguments advanced by both proponents and opponents of the proposal, and gave full consideration to the recommendations of the Commission on Organization of the Executive Branch of the Government.

The majority's conclusion was based on three primary considerations which may be briefly stated, as follows:

First, Reorganization Plan No. 1 of 1949 does not conform to the recommendation of the Hoover Commission. It omits important aspects of the over-all program covering the reorganization of Federal activities in the fields of health, education, and welfare;

Second, it establishes, by vesting complete control in the Secretary of Welfare, a Federal department dominated by welfare objectives, destroying the independence of functionary units in the fields of health and education, and subordinating them to the domination of welfare programs; and

Third, it would tend to build up rather than remove bureaucratic controls over State activities, while effecting no economies in Government.

Although the committee accepted with reservations the point of view expressed by many medical groups that the creation of a Department of Welfare, including health activities, would necessarily promote socialized medicine by giving impetus to the administration's compulsory health insurance program, the majority of its members do feel that this issue is of such grave importance to the welfare of the people that it is imperative that the Congress deliberate thoroughly upon the entire problem of reorganization of all Federal health, education, and welfare activities, and upon all aspects and implications of the proposed program before any such permanent alinement of authority is delegated as is

proposed by Reorganization Plan No. 1 if approved. Affirmative action should, therefore, be withheld until the Congress has fully determined upon the merits of all related Hoover Commission recommendations in the fields of activity, involved and has formulated an adequate and complete program of reorganization which would eliminate existing objections to the pending proposal.

For these reasons the Senate Committee on Expenditures recommended favorable action on Senate Resolution 147, which expresses disapproval by the Senate of Reorganization Plan No. 1 of 1949.

Mr. President, I have briefly covered the history of this proposed reorganization and have given the Senate the views which brought a majority of the committee to the conclusion that it should recommend to the Senate that the resolution be adopted and Reorganization Plan No. 1 be rejected.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. TAFT. Do I correctly understand that there is now pending in the committee a bill covering the whole field in the manner in which the committee thinks it should be covered?

Mr. McCLELLAN. As to health, that is correct.

Mr. TAFT. Is there not also a plan for a department along the lines of the Fulbright bill?

Mr. McCLELLAN. There is a bill similar to the one the Senator sponsored last year. There has been introduced recently a bill which is now before the Committee on Expenditures in the Executive Departments, and another one dealing with the health aspect of it in accordance with the Hoover Commission's recommendations.

Mr. HUMPHREY. Mr. President, as a member of the Committee on Expenditures in the Executive Departments I took the privilege of submitting to the Senate a minority report to accompany Senate Resolution 147. This minority report outlined the point of view of those of us who believe in Reorganization Plan No. 1 and who reject the resolution sponsored by the majority, Senate Resolution 147.

I have had the privilege of reading the majority report recommending veto action on Reorganization Plan No. 1. I have had the opportunity of studying it page by page and also of looking over the testimony before the Committee on Expenditures in the Executive Departments.

I submit that if we adopt this resolution, endorsed by a majority of the Senate committee, we shall kill the first reorganization plan submitted by the President to carry out the recommendations of the Hoover Commission, a plan to convert the Federal Security Agency into a Department of Welfare. I think this is the issue, Mr. President. The issue before the Senate is whether we are going to have the courage, the fortitude, and the wisdom to adopt the program which has been recommended and which is in substantial agreement with the program of the Hoover Commission, or whether we are going to sidetrack the

reports of the Hoover Commission and go backward into a no man's land of confusion, of countless bureaus and agencies within a department. We are either for the Hoover Commission or against it. We are either for the recommendations of the Commission on Reorganization of the Executive Departments, or we are against them.

Mr. President, let me restate what I consider to be the issue. I think it is simply this: Are we to reorganize the Government or not? Are we to support the Hoover Commission or not? If we kill the first plan of reorganization, which is in full accord with the Hoover Commission recommendations, because of the opposition of a lobby on behalf of a very small group which is not even affected by it, except in its own imagination, we shall have offered proof that a democratic government cannot effectively order its own affairs.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. HUMPHREY. I will yield very briefly, for a question.

Mr. TAFT. I have only one question. The Senator has referred to action by a lobby. I should like to know if the Senator is aware that I made some arguments 2 years ago, before any lobby appeared, against the principle of putting all these powers under one secretary, and in spite of the opposition at that time of the American Medical Association to which the Senator refers. I think it is unfair for the Senator to say that the opposition is lobby opposition. My opposition is an opposition on principle, and I am quite willing to attack other bills which would meet the opposition of the same lobby to which the Senator has referred.

Mr. HUMPHREY. Mr. President, I desire to say that from here on I shall yield only for the purpose of a question. I think we must abide by the rules. I have been asked to abide by them.

I merely want to point out that the distinguished Senator from Ohio did make recommendations, but I say, without fear of successful contradiction, that there is a lobby, a very powerful one, which has besieged my office and the offices of other Senators on this particular proposal. It is a lobby against the proposal. The fact is that in 1949 there is a lobby, and it is effective, and I intend to speak about it.

Mr. TAFT. Mr. President, will the Senator yield once more?

Mr. HUMPHREY. For a question only.

Mr. TAFT. Has the Senator received as many telegrams as I have received from the CIO unions, all over the country, in behalf of the plan and against the resolution?

Mr. HUMPHREY. I may say to the distinguished Senator from Ohio that I am not so fortunate as to receive so many communications from the CIO. They seem to have a greater interest in the Senator's point of view than they have in mine. I have received thousands of telegrams and letters on this proposal, but I must confess that most of them have been of the "patent remedy" type, and not by specific prescription. They

are the old "patent remedy" telegrams. One takes his choice in picking them out of the jar of telegrams and sending them where he wants to send them, to his Representative or Senator.

Surely we must have some compelling reason before we take a step so important as is Senate Resolution 147, but I submit that no compelling reason has been offered. If Senators will read the report they will see that the weight of the evidence is heavily against the resolution which would kill this reorganization program. In other words, it is heavily against the resolution we are asked to adopt. I shall go into it in some detail, and I hope that the distinguished Members of the Senate will follow the majority report with me, step by step. But, first of all, I should like to emphasize one cardinal fact.

Nowhere in the majority report do the authors contend that Reorganization Plan No. 1, which the majority asks the Senate to reject, is in violation of any of the Hoover Commission's recommendations. This is important, Mr. President. It seems to me it is a controlling feature in the debate. Certainly one of the principal questions is whether the reorganization plan is or is not in conformity with the Hoover Commission's proposals.

The opponents of this particular plan, however, have sought to give the impression that it does, in fact, violate the Hoover Commission recommendations, and have argued that it should be rejected for that reason.

If it were possible to substantiate that allegation, one might expect to find at least a statement of the case in the report filed by the majority members of the committee which voted out the pending resolution, but Senators will search the majority report in vain to find any substantiation of the feeling of the opponents of the reorganization plan that it is a violation of the Hoover Commission report.

Mr. President, in hundreds of the telegrams I personally have received the authors of the telegrams say, "Support Hoover Commission recommendation. Reject Reorganization Plan No. 1." I have taken the liberty to reply, "I do support the Hoover Commission recommendation. I trust that you will. Therefore, support Reorganization Plan No. 1."

Mr. FULBRIGHT. Mr. President—

The PRESIDING OFFICER (Mr. HUNT in the chair). Does the Senator from Minnesota yield to the Senator from Arkansas?

Mr. HUMPHREY. I yield.

Mr. FULBRIGHT. Has the Senator ever seen the Task Force Report of February 8 on the Federal medical services?

Mr. HUMPHREY. The junior Senator from Minnesota is very familiar with the Task Force Report on the medical services.

Mr. FULBRIGHT. The Senator knows that that report specifically recommends the United Medical Administration to be separate, does he not?

Mr. HUMPHREY. Let me say to my distinguished colleague from Arkansas that the issue is not the United Medical Administration. This seems to be where the confusion comes. The United Med-

ical Administration is a separate proposal unto itself, and we will debate that when it comes before the Senate. The United Medical Administration, as former President Hoover stated, was something to be created by legislation. The point is that the task force report—which was, by the way, a task force report, not a Hoover Commission recommendation, and that needs to be underlined—does not deal with Reorganization Plan No. 1; it deals with a separate issue which is in the Senate Committee on Labor and Public Welfare, which, I may say to the Senator, is exactly where those who are for the United Medical Administration should have gone, instead of to the Committee on Expenditures in the Executive Departments.

Mr. FULBRIGHT. Let us go to the Commission report itself, page 2, recommendation 1, which follows exactly the Task Force Report, and then again to the Commission's report entitled "Social Security and Education, Indian Affairs," in which it recommends the creation of a department in which there is no medical service. I do not understand the Senator's reasoning at all, because the Hoover Commission's report positively does not recommend Reorganization Plan No. 1.

Mr. HUMPHREY. I am very happy to reply to the Senator from Arkansas by stating that the Hoover Commission recommends a United Medical Administration, and there is a bill having that objective before the Committee on Labor and Public Welfare.

Mr. FULBRIGHT. But the Hoover Commission does not recommend plan No. 1.

Mr. HUMPHREY. I may say, the Hoover Commission recommendations cover 19 reports. The summary report deals with general observations upon the administrative pattern of government, as do the 18 other specific reports, and points out the necessity for the reorganization of the Department of Welfare. There is not a shadow of doubt that the creation of the Department of Welfare, as is recommended by the President's reorganization plan, is underwritten by the Hoover Commission, with this one exception, to which I shall come, that the Public Health Service would be connected with the United Medical Administration. But I submit to the Senator that the Congress has not created the United Medical Administration, so the issue is, where do we want the Public Health Service? Perhaps it should be put on Guam, perhaps we should give it to the United Nations, but if it is under our Government, we would have to have it under some kind of a department, and the temporary provision is to leave it under the Department of Welfare, which does not in any way obviate the possibility that at a later date it will be transferred to the United Medical Administration, if the United Medical Administration is established. In the meantime, where should we put it? Should we put it under the Department of Labor or the Department of Commerce, or in the Treasury? It was once under the Treas-

Mr. FULBRIGHT. It is not included in plan No. 1.

Mr. HUMPHREY. The Public Health Service is, momentarily, temporarily, left under the Department of Welfare.

Mr. FULBRIGHT. Why is not the United Medical Administration included in plan No. 1?

Mr. HUMPHREY. The Chairman of the Hoover Commission made the observation, in his testimony before the Committee on Expenditures in the Executive Departments for the creation of a United Medical Service Administration, that it would take legislation to create it.

Mr. FULBRIGHT. The Senator does not believe that, does he?

Mr. HUMPHREY. The Senator does believe it. There may be some doubt in the mind of the junior Senator from Arkansas, but the Senator from Minnesota believes it. Apparently the Senate believes it, because there is a bill before the Senate Labor and Public Welfare Committee to effectuate that purpose.

Mr. FULBRIGHT. The Senator knows that the Bureau of the Budget in their opinion said it could be done by reorganization.

Mr. HUMPHREY. In the report of the Hoover Commission it was recommended that it be done by legislation.

Mr. FULBRIGHT. I do not think the Senator is correct at all. It was recommended that it be done under a reorganization plan. There is no question about the power of Congress to do it by legislation, I do not deny that, but if we are to reorganize and try to follow the Hoover Commission, it should be included as a part of a reorganization plan.

Mr. HUMPHREY. I can see that the Senator loves the use of forensics and debate, and therefore I shall yield to him for the moment for the pleasure we can afford each other.

For the purposes of the argument, working on the assumption of the Senator from Arkansas, let us assume that the United Medical Administration can be created by Presidential reorganization. Then let us wait until it is established, and debate it. The point is that the Department of Welfare was recommended, and it was recommended by every President, with the exception of Calvin Coolidge, since 1923, and the proposal for a Department of Welfare is the issue before the Senate now.

The issue is not the United Medical Administration. That is a fictitious issue. The real issue is the Department of Welfare. If the junior Senator from Minnesota were engaged in a debate on the United Medical Administration, he would have to take part in that at another date, because the problem before the Senate today is simply the issue of the Department of Public Welfare.

Mr. FULBRIGHT. I think the issue is the statement the Senator made that this plan follows the Hoover Commission report. I merely say it does not. That is the issue.

Mr. HUMPHREY. I am happy to have the observation of the junior Senator from Arkansas. We differ and I shall prove my point.



I have asked Senators to look through the majority report and to find a single statement by the majority to the effect that Reorganization Plan No. 1 is not in conformity with the Hoover Commission recommendations. Not one word will be found to that effect.

True, the report points out that plan No. 1 does not effectuate all of the Hoover Commission recommendations relating to the Federal Security Agency. True, it summarizes the allegation made repeatedly by opposing witnesses, several of whom asserted categorically that the plan does not conform. But the majority do not make the same assertion, nor does the Commission suggest that the President has been remiss in failing to carry out the remaining Hoover Commission proposals by reorganization plan. Why? Because evidence before the committee, including testimony by former President Hoover himself, demonstrated conclusively that:

First. Reorganization Plan No. 1 does conform with the Hoover Commission recommendations, and

Second. The most controversial and important of the remaining recommendations affecting the Federal Security Agency cannot be carried out by the President under reorganization plan, but only by special legislation passed by the Congress.

Now let us take up the argument, point by point, as set down in the majority report—bearing in mind as we go along that conformity with the Hoover Commission recommendations is not at issue, so far as the report is concerned, unless the majority wishes to make it an issue. I may say I would beseech, I would ask that the opponents make it an issue, and that we judge the merits of the question accordingly. But I believe the opponents will not make that an issue.

As I mentioned a moment ago, this is a remarkable document. In substance, the argument for rejecting Reorganization Plan No. 1 goes something like this:

After setting forth the provisions of the plan and its legislative history, the report points out that the President submitted Reorganization Plan No. 1 of 1949 in accordance with the Reorganization Act of 1949, which was passed by this Congress 6 or 7 weeks ago. Certainly there is nothing wrong with that. But maybe an argument against the plan will come in a little later. As we continue our consideration we find that up to now there has been no real argument put forth against the plan. Let us proceed.

Next, the report tells us that the plan is the culmination of a long history, which began with the recommendation in 1923 by Warren G. Harding that a Department of Welfare be established. The same recommendation, we are told, was made 9 years later by President Hoover. It was repeated by President Roosevelt's Committee on Administrative Management in 1937. The need for it was reaffirmed by President Roosevelt in 1939 when he established the present Federal Security Agency by reorganization plan. It was recommended by President Truman in 1946, 1947, and 1948. All this has been subscribed to by the distinguished

chairman of the Committee on Expenditures in the Executive Departments, the Senator from Arkansas [Mr. McCLELLAN].

All this, Mr. President, is set forth in the majority report, which concludes that we should now reject a proposal to do what every President but one has recommended since 1923. But perhaps a convincing reason for rejecting it will be found as we turn the pages.

Next we are told that the Committee on Expenditures in the Executive Departments reported favorably in 1947 a bill sponsored by the sponsors of the resolution we are now considering, to transform the Federal Security Agency into a Department of Health, Education, and Welfare, and giving to each function a high degree of autonomy. This, the report explains, differs from Reorganization Plan No. 1, which places administrative responsibility in the Secretary of Welfare.

The majority do not say whether they approve of one form of organization or the other, but merely summarize the arguments offered on each side by opposing witnesses. This is not surprising, and I want to bring this clearly to the attention of the Senate—since the form of organization provided in Reorganization Plan No. 1 is in precise and detailed accord with recommendations of the Hoover Commission. No one who heard the testimony in committee or who has read the Hoover Commission reports could reach a different conclusion. By the same token, the form of organization provided in the bill sponsored in 1947 and again in 1948 by the sponsors of this resolution, is in direct and flagrant violation of the most basic principles of executive management laid down by the Hoover Commission. This point will be developed in more detail by one of my colleagues.

Let me quickly summarize the administrative pattern as provided in Reorganization Plan No. 1 as underwritten and wholeheartedly subscribed to by the Hoover Commission. The administrative pattern of the bill sponsored by the proponents of the veto resolution; that is, the bill providing for separate autonomy for health, welfare, and education, is exactly the administrative pattern which the Hoover Commission says is wasteful, inefficient, duplicating, cumbersome, and clumsy. Yet the sponsors of the veto resolution would kill off a plan which would underwrite and which would put into effect the administrative organizational pattern recommended by the Hoover Commission.

In any case, the majority do not contend that Reorganization Plan No. 1 is faulty in this regard, but merely point out that some of the opponents do. So far, we have found no compelling reason to follow the majority's advice. So let us go on.

Next, the report lists the witnesses who appeared for and against Reorganization Plan No. 1, indicating quite clearly that the chief opposition to it, except on the part of the sponsors of Senate Resolution 147, came from the spokesmen for organized medicine.

For some reason, not clear to me, the report fails to mention that the list of

witnesses in favor of the plan included a gentleman who only the other day was heralded, on the floor of the Senate, for his patriotic service to this country, the former President of the United States, Herbert Hoover, Chairman of the Commission on Organization of the Executive Branch of the Government. It is true that he testified generally, on all of the first seven plans submitted by the President. But surely it is important for us, in the consideration of plan No. 1, to know that Mr. Hoover said, and I quote him, directly from the hearings:

I want to say at once that the seven plans are all steps on the road to better organization of the administrative branch. They are, insofar as they go, substantially in accord with the recommendations of the Commission on Organization of the Executive Branch of the Government.

The only interpretation one can place upon that statement is simply this, that the distinguished Chairman of the Commission on Organization of the Executive Branch of the Government felt that these plans represent good forward steps, and particularly Reorganization Plan No. 1, and his statement indicates that he wished it went further, and so does the junior Senator from Minnesota. But to say that one thinks it ought to go further than it now goes, and therefore he will reject it, is to say that he does not believe in what we may call steady progress. It would be the same sort of thing as if people were to say that the need for schools in America today is greater than can be supplied, and that, therefore, since we cannot go the whole way, no forward steps whatever should be taken. I have heard it said repeatedly that we need in this country many school buildings, we need today much money for the support of our schools and we need billions of dollars for a highway program.

Only the other day there was before the Senate for consideration an appropriation for the Public Roads Administration. We could all have voted against it. We might have said, "We need from \$25,000,000,000 to \$50,000,000,000, according to the road builders of America, for the building of highways, so we are not going to vote for the appropriation of four or five million dollars. That is not enough." What kind of reasoning would that be? That would be the same as saying that, simply because we cannot afford to pay for the building of a new house, we will not undertake to put up sufficient money to make necessary repairs. Or if repairs were necessary to be made, and we did not have sufficient money to make all the repairs, would it not be foolish to say that we would not make as many repairs as we could afford to make, simply because we did not have money enough to make all the repairs? What kind of reasoning would that be?

So long as the step now proposed to be taken is a forward step, and in accordance with the Hoover Commission's recommendations, it is a step worth taking. If it is in conformity with the program laid down by the Hoover Commission, if it has the support of the sponsors of the reorganization movement in the Government, then it appears to me

it is the kind of plan which should be given the helping hand of the Congress of the United States.

Mr. BALDWIN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. BALDWIN. I may say to the Senator from Minnesota that I have been quite confused by the arguments which have been made one way and the other on this question. The Senator states that this is but a step. It seems to me that there is a good deal of question as to the direction in which the step is to be taken. It may not be backward, but it may be in the direction of something we do not want. As I understand from an examination of the task-force report, it was the recommendation of the task force that a United Medical Service be established, which would be independent of the Department of Health and Welfare, as recommended in other portions of the report.

The Senator says that if we take this step now and put the Medical Service in the new department, ultimately, if we want to do it, we can organize it in another way. I submit to the Senator this question: Have not the President and Mr. Ewing indicated already that it would not be their purpose or desire to take that further step in conformity with what the Senator says? In other words, if we adopt the Senator's suggestion and put the Health Service in the new department, while some Senators may feel that it ought to be set up in compliance with the report of the task force, how are we ever going to accomplish that once this step is taken? The President has said in his letter:

I am unalterably opposed to the recommendation to transfer the Public Health Service to an independent United Medical Administration and I feel that any plan to consolidate hospital functions at this time would be premature.

How does the Senator get around that particular situation?

Mr. HUMPHREY. The junior Senator from Minnesota does not wish to get around it. The Congress can legislate as to where it wants the agencies of Government to go. If we think the Public Health Service ought to be in the United Medical Administration, we must take certain steps. I think we can rely upon the advice and judgment of the Hoover Commission. There does not seem to be any partisan debate as to whether or not Mr. Hoover has done a good job. I think all fair-minded people realize that he has done a tremendous job.

What does he say with reference to the United Medical Administration?

I do not think the President has ignored the recommendations, because the whole problem of reorganization is so greatly interlocked. For instance, in order to carry out the Commission's recommendations, it is necessary to set up a United Medical Administration in the Government before the health functions in the Federal Security Agency can be transferred. The creation of that agency, I am advised, will require specific legislation before the President could transfer agencies to it.

I shall not debate the point as to what Mr. Hoover said. He has been advised by counsel for the Committee on Or-

ganization of the Executive Branch of the Government.

The question which the Senator from Connecticut raises is an important one. Apparently the present head of the Federal Security Agency and the President have stated that they do not believe that the Public Health Service should be transferred to the United Medical Administration. The American Legion and the Veterans of Foreign Wars do not even want a United Medical Administration. But if the Congress wishes to transfer the Public Health Service to the Maritime Commission it can do so. If it wishes to transfer the Public Health Service to the Port Authority, it can do so. We legislate. Congress can put the Public Health Service wherever it wishes to put it, or it can rely on the good will of the President and hope that he will transfer it. If we feel that he will not do it, we should pass the kind of legislation which will take care of the problem.

Mr. BALDWIN. Suppose a Senator believes that there should be a United Medical Administration, and that it should be independent, but that it should not be intermingled with other important activities. Suppose he votes for this particular plan, and the Medical Service goes into the new department. He may hope that, as an administrative act on the part of the administrative department in the Government, the President and Mr. Ewing will set up a separate United Medical Service. We have every indication, from what the President and Mr. Ewing have said, that neither of them believes in that sort of a program. So obviously it will not be done by administrative action.

Mr. HUMPHREY. Mr. President—

Mr. BALDWIN. May I finish?

Mr. HUMPHREY. Mr. President, my time is limited.

Mr. BALDWIN. The Senator has the floor. If he does not wish to yield further, he is not obliged to do so.

Mr. HUMPHREY. I prefer that we have questions. Senators on the other side have a certain amount of time. I want to be fair. I have a very high regard for the Senator from Connecticut, and I should like to allow him to continue with his interrogation; but let it be put in the form of a question.

Mr. BALDWIN. I shall put it in the form of a question at the end.

The other alternative, it seems to me, is that, as the Senator has suggested, we could take legislative action. But does not the Senator realize that if the President is opposed to it, and we take legislative action to put it into effect, the President can veto it, and we shall be faced with the necessity of overriding his veto?

Mr. HUMPHREY. That is a definite possibility. However, I understood that the President was opposed to the Taft-Hartley Act. Congress passed it over his veto. The President appointed the general counsel, and he administers the law. The President of the United States takes an oath of office to uphold the Constitution. If the Congress felt that the Public Health Service should be in the United Medical Administration, I do not think

any President would deny that that is where it would be placed.

Mr. BALDWIN. I quite agree with my distinguished friend. But if a Senator believed that there should be a United Medical Service and that it should be independent, by voting in favor of this resolution he could have his point established by majority vote. If he voted to support the plan, and the United Medical Service should go into the new department, then the only way the situation could be changed would be by a two-thirds vote. Are not those alternatives?

Mr. HUMPHREY. Not quite. Let me point out, from the standpoint of the junior Senator from Minnesota, what the alternatives are.

If this reorganization plan is killed, the Public Health Service will still be under the Federal Security Agency. Mr. Ewing is still at the head of that Agency. The Public Health Service will be in exactly the same position it was. If this plan is killed it is no guaranty that there will be a United Medical Administration. That question will be fought out on its merits. While the American Medical Association has learned the art of lobbying, whenever it starts to tamper with veterans' medical care there will be trouble. So if we think we have a tough nut to crack so far as Reorganization Plan No. 1 is concerned, we shall find that this is only a warming-up exercise if we undertake to legislate on the matter of a United Medical Administration.

This proposal does one thing. It says that the Senate is willing to underwrite the basic principles of reorganization. I do not mean the details, but the principles. First, the Commission recommends as a primary objective that—

The numerous agencies of the executive branch must be grouped into departments as nearly as possible by major purposes in order to give a coherent mission to each department.

Second, the Commission lays down the principle that—

Within each department, the subsidiary bureaus should also be grouped as nearly as possible according to major purposes.

Third—

Under the President, the heads of the departments must hold full responsibility for the conduct of their departments. There must be a clear line of authority reaching down through every step of the organization, and no subordinate should have authority independent from that of his superior.

Those are the basic principles of the Hoover Commission report. What we are arguing today is not merely the question of the details of the welfare plan, but whether or not the basic principles of reorganization are to be accepted or rejected. I am for their acceptance.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. TAFT. Does not the Senator feel that the attempt to combine health, welfare, and education, which are completely separate at the local level, is a violation of the basic principles of the Hoover plan?

Mr. HUMPHREY. The junior Senator from Minnesota is unwilling to ren-



der a layman's judgment on that subject. He has read repeatedly from what has been said by those who have been in the field of administration at higher levels than the junior Senator from Minnesota has ever attained. I pointed out what the distinguished former President Hoover had to say. In the twilight of his life he has gained new glory, on the basis of his great contribution toward reorganization. He says that Reorganization Plan No. 1 is the first step in the right direction. I predict that before this debate is over he will say that Senate Resolution 147 is the first step in the wrong direction. That is my considered judgment.

I point out that sooner or later we have to come to grips with the problem of reorganization. I have heard the debates on economy and waste and duplication in Government. I submit there is always waste in Government and there always will be duplication and inefficiency so long as there are 10 captains and 10 chiefs in every department. There cannot be an efficient Government unless there is integrated command. A department head cannot be held responsible unless he has responsibility in fact, as well as in theory. Although some may have disliked some of the political philosophy of former President Hoover, and it is perfectly obvious that the junior Senator from Minnesota has disagreed with his political philosophy, yet no one has ever said that former President Hoover did not understand administration. I happen to think there is something else to Government than administration; but administration helps, and provides for the best use of the resources at our command.

I should like to continue with the majority report. There is much to be said about it. Those who have prepared it and have subscribed to it have done a good deal of hard thinking about the problem before the committee. I know there are honest differences of opinion, and I realize that neither the majority report nor the minority report is one of perfection. I am not asserting that Reorganization Plan No. 1 is everything that I would want it to be. I am only arguing that to my mind and my way of considering it, it is a forward step.

I predict that if we make any progress under the Hoover Commission's recommendations—and pray God that we do—we shall have to inch along, move along step by step.

Mr. TAFT. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. STENNIS in the chair). Does the Senator from Minnesota yield to the Senator from Ohio?

Mr. HUMPHREY. I yield.

Mr. TAFT. Does not the Senator think that if we give the departments the things they want, we shall never put into effect the things they do not want? Does not the Senator think we must put the sweet and the sour together, if we are to have both placed in effect?

Mr. HUMPHREY. I have some difficulty in following the observations of the Senator from Ohio in that matter. I gather that he takes the position that a

little sugar and a little vinegar must be mixed together, for by putting them together the resultant mixture does not taste so bad, and perhaps it will be accepted. Is that the Senator's point?

Mr. TAFT. No, not at all. My point is that if we give the departments what they want—the higher salaries, the greater status that Mr. Ewing wants, and so forth—but at the same time do not take away the administration of medical matters, we shall never be able to take the medical administration away from this agency. That is my point. In every case, if we are going to get the whole thing through, it seems to me we must do it in one piece, and not do the things that are pleasant for the departments, and then not try to put into effect the things they do not like.

Mr. HUMPHREY. I am sure the Senator from Ohio does not mean that we should do everything in one piece.

Mr. TAFT. I mean as to each department.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. ELLENDER. Yesterday, while the distinguished Senator from Ohio was debating this question, I asked him whether he knew what the position of the Hoover Commission or that of any member thereof was. As I remember, he said he did not know specifically, but that the plan before us carried out the views of three members who were in the minority. I telegraphed former President Hoover this morning as follows:

HON. HERBERT HOOVER,  
Waldorf-Astoria Hotel,  
New York, N. Y.:

Would appreciate your views respecting Reorganization Plan No. 1 which creates Department of Welfare with Cabinet status. Senate expected to vote today.

Best wishes,

ALLEN J. ELLENDER,  
United States Senator, Louisiana.

With the Senator's permission, I should like to read his answer.

Mr. HUMPHREY. I shall be very happy to receive it.

Mr. ELLENDER. I read the telegram:

NEW YORK, N. Y., August 16, 1949.  
HON. ALLEN J. ELLENDER,  
United States Senate:

In reply to an inquiry, I yesterday sent the following telegram to Senator MORSE: "Your telegram reached me here. I stated my views fully to the Senate Committee on Expenditures. In brief I supported the President's seven plans as first steps on the long road of reorganization which only can be carried out by further Executive and congressional action if the recommendations of the Commission are to be fulfilled. I likewise supported plan No. 1 and outlined that the further imperative steps recommended by the Commission are the separation of all health and labor agencies from the new department and reorganization of budgeting, accounting, and personnel methods. The Commission did not recommend the term 'Welfare' for the name of the department but inclined to the term 'Education and Social Security.' The recommended reorganization will, of course, not be effective until these further steps are undertaken."

HERBERT HOOVER.

Mr. HUMPHREY. Mr. President, I greatly appreciate the telegram which

has just been read by the distinguished Senator from Louisiana. It is one of those welcome telegrams; and the more we can receive, the better off we should be.

Mr. President, I shall continue with the analysis of the majority report.

In addition to Mr. Hoover, witnesses who testified in favor of Reorganization Plan No. 1 represented the President, the American Council on Education, the American Public Welfare Association, the American Pharmaceutical Association, and the Veterans of Foreign Wars. To my personal knowledge, a great many other witnesses, representing almost every organized segment of the population, would have testified for the plan if there had been the slightest indication before the hearings closed that the plan was in danger. But the attack against it was carefully timed. It was not until the very day the hearings were closed that a veritable avalanche of telegrams descended upon the committee and its members, individually, many identical and virtually all supporting the position of the American Medical Association. In the evening of the same day, the veto resolution we are now considering was introduced. I draw no conclusion from that coincidence, but merely call attention to it to explain why the many public-spirited organizations which would have testified if they had known the plan was in danger did not do so. However, many of them did send letters and telegrams to the committee expressing their support.

The majority report states quite candidly that most of the telegrams, letters, and statements received by the committee were sent by physicians, medical societies, and individuals affiliated with the latter, almost all of whom wanted an independent Public Health Service and urged that Reorganization Plan No. 1 be turned down until and unless they get what they want.

The report might have pointed out, of course, that while the majority of individual communications received by the committee were in opposition to plan No. 1, those in favor of it represented the overwhelming majority of the voting citizens of America. After all, adding all the medical societies in the United States together, if every member of every one of them should send a telegram to each Senator, he would have heard from only as many people as live in any one of a score of middle-sized American cities, cities about the size of my sister city of St. Paul, Minn.

The report might also have made known the fact—for it is a fact—that a great many of the communications inspired by the American Medical Association were identical, word for word and period for period. For instance, on one particular day, the Committee on Expenditures received 30-odd identical telegrams, each signed by a different member of one medical society in a medium-sized New Jersey town. The telegram read: "Kill Reorganization Plan No. 1." At about the same time, a flood of telegrams came in from remote hamlets in every part of one State, all urging, in the same words: "Don't make Ewing any bigger,

he's too big already." Each was signed by a different person—not one of whom, I am sure, had the slightest knowledge about Oscar Ewing or his size.

I may say that the issue is not the distinguished head of the Federal Security Agency. We are talking about a long-run principle of Government. We are talking about a Department of Government. Whether one likes or dislikes the head of the Federal Security Agency is not the issue. If we do not like him, if it is the majority opinion of the Senate that he should not be the head of the Welfare Department, then I may say to Senators, when his nomination comes up on the floor of the Senate for confirmation, let us fight it. Let us wait, and not try to muddy up the waters of this debate with the matter of a personality.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Illinois?

Mr. HUMPHREY. I am glad to yield.

Mr. LUCAS. In connection with the last statement made by the Senator, as the Senator from Illinois entered the door, I may say practically every telegram I have received from the Medical Society in my State has criticized an individual who they assume is going to head this Department, rather than dealing with the basic issues involved in Reorganization Plan No. 1. As the Senator from Minnesota rightly said, if there are 49 or more Members of the Senate who are willing to vote against Reorganization Plan No. 1 primarily, or secondarily, because of a personality, they can wait for that individual to come before the Senate upon nomination by the President, and then act adversely upon the nomination of Mr. Ewing, if that is the way they feel about it.

Mr. HUMPHREY. I am very happy to have the observation of the distinguished majority leader, because it is my considered judgment that, as he has so well pointed out, with respect to the issue of personality, we have a means of dealing with that. We have a means provided under the Constitution. The President nominates, the Senate confirms. If we do not like the person who is nominated, we do not have to confirm him, we can withhold confirmation. That issue will be debated on another occasion. Perhaps a consideration of that kind may have deterred the majority from listing in their report the organizations which have indicated their support of Reorganization Plan No. 1.

Let us go on to see what organizations supported Reorganization Plan No. 1, other than those I have already mentioned. I have named the Council on Education and the Pharmaceutical Association. And, by the way, as a practicing pharmacist, I am willing to stack up the professional ability of the American Pharmaceutical Association along with the American Medical Association, as to their judgment with respect to what is good for health. The doctor pre-

scribes, the druggist dispenses. Let us go on a little bit further. The Veterans of Foreign Wars, the President of the United States, the former President of the United States, Mr. Herbert Hoover—all of these testified for Reorganization Plan No. 1. Here are a few others: The American Legion, the American Federation of Labor, Disabled American Veterans, American Public Health Association, American Parents Committee, Congress of Industrial Organizations, United Automobile Workers, National Women's Trade Union League, Association of State and Territorial Health Officers. There are many, many more. Certainly, we want to take their wishes into account. I think there can be no doubt whatever that the majority of the people of this country want Reorganization Plan No. 1 to become law. This is clear if you just consider the membership of the organizations that are on record for it, and compare their numbers with the membership of the American Medical Association and the American Dental Association. Of course, I am not inclined to worship the opinion poll as a Delphic oracle, especially when it gets into politics.

I think we have learned a lesson about that. But I call attention to the recent Gallup poll, published just last week, which showed that only 28 percent of the people are opposed to this plan. Twenty percent had no opinion, and 54 percent were for it. On the sheer basis of mathematics, on the basis of the organizations for and against, the proof and the evidence seem to show, let me say, beyond a shadow of a doubt, where the American people stand on Reorganization Plan No. 1. So far, there certainly is nothing in this majority report to indicate that we should follow the advice of its authors and vote for the veto resolution. Having digressed for a moment to fill in a significant gap, let us return to the report itself. Perhaps we shall find an argument yet to support the conclusion it reaches.

Having shown that plan No. 1 was submitted in accordance with the wish of Congress and in line with the recommendations of all Presidents but one since 1923, and having shown that it enjoys extremely broad support and very limited opposition, the majority report, which says we should veto this reorganization plan, then proceeds to summarize the testimony in favor of the plan. It is an eminently fair and candid summary—I shall quote it verbatim—and subscribe to it wholeheartedly.

I may say to my distinguished colleagues, I am not quoting from the minority views presented to the Senate by the junior Senator from Minnesota. I am quoting from the majority report on Reorganization Plan No. 1. What does it say?

1. The functions of health, education, and security now performed by the Federal Security Agency are of sufficient importance to warrant departmental status, and in the interests of the welfare of the people such recognition should be granted without further delay.

There can be no argument, then, about having a duty, so I agree with that.

2. Plan No. 1 would accomplish this by converting the Federal Security Agency into a Department of Welfare, but would neither add to, nor detract from, nor change the statutory functions now performed by the Federal Security Agency. The plan would merely convert FSA into a Cabinet department.

Of course that is all that can be done under the Reorganization Act of 1949. This is well stated, I submit, and it is true.

What is the third observation of the majority report, which asks the Senate to veto Reorganization Plan No. 1?

3. The plan implements a cardinal recommendation of the Commission on Organization of the Executive Branch of the Government for the establishment of a Department of Welfare, which action has been urged by every President (excepting President Coolidge) since President Harding in 1923.

All of that is true.

4. The Federal Security Administrator, under existing statutes, does not have the authority to administer his organization to obtain the most efficient operations. His present authority is only of a general supervisory nature.

I concur in that statement.

What is the fifth observation which the majority report makes?

5. Section 2 (b), (c) of plan No. 1 would give the new Secretary of Welfare the authority the FSA Administrator testified as being essential for efficient administration by investing in the Secretary the power to consolidate functions and, with minor reservations, to delegate functions as he deems necessary or desirable.

This is in line with a major principle of executive management which was stressed time and time again in the Hoover Commission reports as essential to economy and efficiency in the executive branch.

In other words, the right of a department head to delegate functions, to line up the work, and I regard that as one of the cardinal principles of the Hoover Commission report. Then, sixth, what does the majority report say?

6. The holding-company type of organization, such as the Federal Security Agency, of which the Social Security Administration, the United States Public Health Service, the Office of Education, etc., are component parts, in the past has not proved the most satisfactory to discharge those functions.

This is exactly the kind of organization which the Hoover Commission holds responsible for much of the inefficiency, duplication, and waste which all of us are so anxious to eliminate.

Let us move to the seventh observation of the majority report:

The prestige which accompanies a Cabinet officer, or a department of Government, would facilitate more efficient discharge of the functions embraced by the Federal Security Agency, with attendant benefits to the people.

It seems to me that is self-evident.

Then comes the eighth observation:

The Federal Security Agency, by size alone (35,000 employees), and by the scope, importance, and significance of its functions, reserves departmental status.



This I believe is universally recognized and is not questioned by anyone.

I shall, of course, expand on these points, and have already touched upon a few of them. We feel that the logic in favor of Reorganization Plan No. 1 is overwhelming, by the admissions of the majority itself; overwhelming to the point that every single argument of the Hoover Commission, every single argument on the facts of administration, is on the side of Reorganization Plan No. 1. The opposition is confined to one point only, that the President of the United States did not, apparently, do what Mr. Hoover says he cannot do—establish a United Medical Administration and transfer the Public Health Service. So, what the issue is in the minds of some persons is that "If you will not do for the Public Health Service what we think you should do, you cannot reorganize the Government." I submit that is a very narrow-minded approach.

All the eight arguments in the majority report in favor of a Department of Health say that we ought to have a Department of Welfare; that the present system is inefficient; that a Department of Welfare would provide a more effective administration.

The majority report next lists its summary of opposition arguments, the allegation that the function of health, and, to a lesser extent, of education, have been dominated by and subordinated to the function of welfare by the Federal Security Agency, to the detriment of the former. As I pointed out at length, in my minority report, this allegation simply is not true, although opposition witnesses repeated it categorically and matter of factly, as if it were. The fact is that the Public Health Service has grown more in the 10 years it has been a part of the Federal Security Agency than in the previous 140 years of its history.

Speaking of appropriations, the Public Health Service has expanded in that respect 517 percent since it became a part of the Federal Security Agency. The Social Security Administration, on the other hand, has had an increase in appropriations over the same period of 252 percent. This increase has been almost entirely for public-assistance grants-in-aid. The social-insurance programs, however, have remained almost stationary. In the political atmosphere of the past few years, they have been lucky to hold their own.

All the talk about the "welfare state" and "domination" by the "welfare idea" is nothing more nor less than political semantics. It is a trick learned from the Communists, who seize upon good, honest, decent words, such as "democracy" and "people," and prostitute them to their evil ends. What is a better end for any government than the welfare of the people? Let me say, parenthetically and in passing, that I am perfectly willing at some future date to debate with anyone, anywhere, whether we should have a welfare state. It is better to have a welfare state than to have a police state or a state of reaction. What is wrong with the welfare of the people? What is better to strive for than a gov-

ernment of the people, by the people, and for the people? How can a government achieve that end except by promoting the general welfare?

Mr. TAFT. Mr. President, will the Senator yield?

Mr. HUMPHREY. I should prefer not to yield at this time, because my time is running far beyond the extent to which it should.

I submit, Mr. President, and the facts bear out my statement, that the Public Health Service has done a better and a bigger job for the welfare of the people in the past 10 years than in all the rest of its long history. I say that is good. Perhaps, before long, if the Public Health Service continues to grow and expand as rapidly under the Department of Welfare as it has under the Federal Security Agency, I shall be one to insist that it be set up as a Department of Health. Perhaps that time is not far in the future, but the time is not yet. The hysterical propaganda about a "welfare state" and the thoroughly unjustified and unfactual talk about "domination" and "subordination" will not speed the process.

Point No. 3 in the summary of opposition testimony, as set forth in the majority report, is in reality a restatement of point No. 2. Having insisted that the Public Health Service and Office of Education are dominated by the welfare function, the opponents now insist that they would be dominated by the Secretary of Welfare under the form of organization established in Reorganization Plan No. 1.

In other words, if we have a Department of Welfare it is going to contaminate health and education. We shall have a Secretary of Welfare, and of course he will somehow or other submerge and dominate the entire organization.

Mr. President, there is only one way we can hope to achieve the objectives of economy and efficiency in government for which the Congress established the Hoover Commission. We must make the heads of departments and agencies responsible for their operation. But responsibility and authority go hand in hand. We cannot have one without the other. What the opponents of the plan are saying is simply this: "We want economy and efficiency, and we are willing to make the Secretary responsible for it, but we are not going to give him the authority without which he cannot possibly achieve it. We are willing to go along with the Hoover Commission recommendations, but not with the most important one, the one upon which all the others rest. We are not going to give anyone we disagree with any authority at all."

That is the attitude we face, Mr. President, and if it prevails, we might as well throw the Hoover Commission reports away and forget about them.

Point No. 4 argues that the Government's health functions should be set up in a separate department of health or in an independent health agency, and that a physician should be the head of it. The committee agreed that this was out of the question for the present, at

least. However, there is nothing to prevent the Congress from establishing such a department or agency at any time it chooses; and the establishment of a Department of Welfare will not affect the freedom of Congress in this respect one iota.

I shall conclude by summarizing my argument.

The opposition to Reorganization Plan No. 1 seems to be based on rather tenuous grounds and some false premises. It is based on the proposition that the plan does not go far enough. There is opposition on the proposition that the health functions of government should not be included in a Welfare Department. Apparently that opposition to Reorganization Plan No. 1 is based upon the idea that a Welfare Department would, somehow or other, subordinate and dominate aspects of government dealing with health. I see no other reason for it, unless it be that those who oppose Reorganization Plan No. 1 do not believe in integrated types of bureaus or departments.

Now let me state what my position is as a member of the Senate Committee on Expenditures in the Executive Departments. First, I believe, along with every other person who has been interested in the creation of a welfare department since 1923, that now is the time to establish it. Every President, with the exception of the late President Coolidge, has implored Congress to establish a Department of Welfare.

Second, I do not believe in the holding company type of the present security agency. I believe it is cumbersome, inefficient, expensive, and wasteful. I submit that the junior Senator from Minnesota has, as his witness for this, the entire Commission on Organization of the Executive Branch of the Government. I believe that a department head should have responsibility for the functioning of his agency, and not only responsibility, but the authority to carry out the functions.

The junior Senator from Minnesota, in urging approval by the Senate of Reorganization Plan No. 1, states, and states it as a conclusive argument, that we in the Eighty-first Congress will be fortunate indeed if we can move ahead a little bit in the program of reorganization. If we can inch along, if we can improve just a little, we will have justified the faith the Congress and the people have placed in the Commission on Organization of the Executive Branch of the Government.

I submit, along with the former President, that all seven plans, and in particular plan No. 1, are in conformity with the spirit of, and aim at the goal and objectives of the basic recommendations of the Hoover Commission report.

Mr. President, this is the acid test. If we yield now before the onslaught of opposition, if we are willing to have the trumpets blare and frighten us away from our citadel of good government, if we are going to let the trumpets outside the Congress of the United States frighten us into believing that somehow or other it is going to upset popular government if we

adopt Reorganization Plan No. 1, then we have lost all hope of reorganization of the other branches of the Government.

Mr. President, I call upon those who have opposed the plan in public to study the facts, and not study emotions, to look at the real situation and not at the imaginary situation. When the realities and facts are considered, there is not a shadow of a doubt in the mind of the junior Senator from Minnesota that Reorganization Plan No. 1 will be accepted, and will be heralded by the Congress.

Mr. President, it seems to me that men of good will can learn a valuable lesson from this debate and from the controversy which underlies it. I can best illustrate what I have in mind perhaps by reference to the man whose name and whose reputation have been so prominently involved. I refer to Mr. Oscar Ewing, the Federal Security Administrator.

Mr. President, this man has been the victim of vicious propaganda all across the country. He has been misrepresented and insulted from coast to coast. And all of this, I am sorry to say, has played a part, at least indirectly, in the debate here today.

The amazing bitterness of this campaign against Oscar Ewing has baffled me. I know him well, and I know that none of the charges or the insinuations that I have heard are true. To anyone who knows him, in fact, they are utterly fantastic.

Oscar Ewing was born in Indiana. He attended Indiana University. He got his law degree at Harvard, where he and the able senator from Ohio worked together on the Harvard Law Review. He sold aluminum during his summer vacations to help pay his way. He taught for a year at the University of Iowa. He served in the First World War as a captain in the fledgling air service. He forged his way up to the very top in the practice of law, as a member of the firm founded by the late Chief Justice Charles Evans Hughes. He became counsel for the giant Aluminum Co. of America, whose kitchen wares he once peddled to Indiana housewives.

In his spare time, he worked to further the cause of the Democratic Party, of which he became assistant national chairman in 1940, and later vice chairman. As a special Assistant Attorney General, he prosecuted the notorious William Dudley Pelley on sedition charges, and also the traitor, Douglas Chandler. And finally, he was appointed Administrator of the Federal Security Agency.

Mr. President, the career I have just outlined is that of a 100-percent American, a poor middle-western boy who made his own way to the top, a credit to himself and his country.

Probably the greatest thing about America is the tolerance our people have for each other's opinions. Without that, this country would be a far less pleasant place.

But that is the very thing which we have seen corroded and damaged here. Until Oscar Ewing became a public advocate of health insurance, not an angry word was spoken of him and he was held in high esteem by men of all persuasions.

After that, the thunder and the lightning struck.

But, Mr. President, nothing about Oscar Ewing had changed. He was exactly the same man, with the same ideals, the same character, the same personality, and the same solid record of achievement. Yet such was the lack of tolerance for his opinion on this particular issue, that many of those who disagreed with even his good intentions attacked his motives and attempted to destroy his reputation.

Every citizen of our country should have the basic American privilege to believe whatever he thinks is right, to speak out for his convictions, and to fight for them.

I say, let us never lose this tolerance, Mr. President. It is the most valuable asset we have.

Mr. MURRAY obtained the floor.

The PRESIDING OFFICER. What time will the Senator take in presenting his views?

Mr. MURRAY. About half an hour, or a little more.

The PRESIDING OFFICER. The Senator from Montana will proceed.

Mr. MURRAY. Mr. President, in supporting Government Reorganization Plan No. 1, I make no secret of the fact, and I am sure that it is well understood, that I am not a political bedfellow of the Chairman of the Commission on Organization of the Executive Branch of the Government. I have never been closely associated in political philosophy with Mr. Hoover. I hold a very high respect for him because he is a man of wide experience in economic and political life. He is an honest man—a man of very high integrity and ability, a great American—but I would not accuse him of radicalism or of liberalism to any serious degree. In fact, I regard him as an outstanding symbol of rock-ribbed conservatism. If anything, he was even more conservative in 1932, when, as President of the United States, he appointed a special committee to study the whole subject of the cost of medical care.

I point this out because I want to show my colleagues that nothing has changed since 1932, when President Hoover encountered the same blind, arrogant, petty, and hysterical opposition from the very same people who now seek to ruin the first move that is made to carry out his program for the reorganization of the Government. History is repeating itself.

Let me review Mr. Hoover's earlier encounter with the American Medical Association. Even in 1932, it was evident that most people could no longer afford decent medical care, and that something would have to be done about it. Therefore, President Hoover, with his keen engineering bent for efficiency, appointed a distinguished committee, headed by the late Dr. Ray Lyman Wilbur. Now, Dr. Wilbur was no more radical than President Hoover. He was a doctor of medicine himself, and a past president of the American Medical Association. Like Mr. Hoover, he was an honest and an able man. He and his committee dug out the facts. In their report, they said:

Human life in the United States is being wasted, as recklessly, as surely, in times of peace as in times of war. Thousands of peo-

ple are sick and dying daily in this country because the knowledge and facilities we have are inadequately applied.

On the basis of the facts which were uncovered, the Wilbur committee made recommendations, just as the Hoover Commission has done with respect to Government reorganization. Their recommendations were not radical; they merely urged the widespread adoption by doctors of the system of group medical practice, and the extension of voluntary health insurance schemes on as wide a scale as possible.

But what was the answer of the American Medical Association? Why, of course, everyone knows what it was. The AMA Journal smothered Dr. Wilbur and his committee under an avalanche of invective. It called the report "socialism, communism—inciting to revolution."

Then the AMA turned with a vengeance to save the country from Dr. Wilbur's communistic schemes. Then, as now, they were careful not to direct their fire at the President who had set those schemes in motion. Instead, they sniped at the committee he appointed. They lobbied legislation through many of the State legislatures, prohibiting the establishment of any voluntary prepayment plans for medical care that were not controlled completely by the local medical societies. They bluffed and bullied legislation onto the statute books in many States by which only members in good standing with the medical societies could obtain licenses to practice medicine, and then they sought to bar from membership anyone who dared to participate in any plan for group practice. They were finally thwarted in this only after criminal prosecution and conviction in the Federal courts, a conviction which was upheld by the Supreme Court of the United States.

This is the self-same opposition, Mr. President, and the only opposition of any substance, which we face today in attempting to carry out the first plan submitted by the President to effectuate the Hoover Commission recommendations. It is just as unreasoning, just as emotional, just as hysterical, just as arrogant, and just as scornful of the public interest as it was 17 years ago. It is even worse in this case, because their interest is not affected by this plan in any way.

Mr. President, only 11 days ago it was the firm expectation of most Americans that formal establishment of a Federal Department of Welfare would soon be accomplished. There seemed to be almost no opposition to Reorganization Plan No. 1.

To be sure, the American Medical Association put itself on record before the Committee on Expenditures in the Executive Departments as favoring a separate Department of Health with a doctor at the head of it. But this view appeared to be tempered with reason. This seemed strange to those of us who know the AMA, since its record on issues affecting the public welfare has been almost unswervingly irrational. Nevertheless, Dr. James Raglan Miller, chairman of the executive committee of the



AMA's board of trustees and their official spokesman before the committee, appeared to agree that a separate Department of Health would be impossible at this time. Therefore, he said:

At this time we urge support of the report of the Hoover Commission on this subject, which recommends an independent health agency under which will be assembled all activities concerned with health except those of the armed forces and Veterans' Administration.

He was clearly misinformed about the Hoover Commission recommendation, of course, since it calls for a United Medical Administration which would include primarily the armed forces and Veterans' Administration hospitals, and in which the Public Health Service would be a subsidiary unit. However, this seemed to be unimportant for several reasons.

First, a bill to establish the United Medical Administration in line with the Hoover Commission recommendations already had been introduced by the senior Senator from Utah and referred to the Committee on Labor and Public Welfare. It was to be expected that those who favored that plan would seek to testify before that committee, and to propose any changes they might wish to make in it. It was to be expected that the opponents would appear also and make their objections known, and that all concerned would try to work out in the proper, orderly way an acceptable program. I do not know whether that would be a Department of Health, an independent health agency based upon the Public Health Service, a hospital holding company as recommended by the Hoover Commission, or whether the Public Health Service would be left where it is. But the place to work that out obviously is in the committee that has the bill. That was one reason why there seemed to be no difficulty with Reorganization Plan No. 1.

The second reason, Mr. President—and I want to emphasize this, because I doubt that many Senators are aware of it—the second reason is that the official spokesman for the American Medical Association, in his testimony before the committee, endorsed Reorganization Plan No. 1 of 1949.

Does that surprise Senators? It surprised me at the time, because I have had a great deal of experience with the AMA, and this was the first time I had known an official spokesman of theirs to speak reasonably and rationally on any issue affecting the public interest. But I took the gentleman at his word.

I do not say that Reorganization Plan No. 1 was the first choice of the American Medical Association. I do not say it was their second choice. But it was their third choice, and their official spokesman, Dr. Miller, said so in so many words.

In view of all that has transpired since then, I know this seems incredible. Therefore, let me quote directly from Dr. Miller's testimony before the Committee on Expenditures in the Executive Departments, on July 22, 1949, one month ago. Remember, Dr. Miller was the official spokesman of the American Medical Association, chosen specifically by the board of trustees to represent the AMA

at these hearings. Here is what he said, in summarizing the AMA's position:

We are still firm in our belief that ultimately a Department of Health is a vital necessity for the Government. Whatever steps are taken, we should like to feel are steps which will not hinder the ultimate development of a Department of Health with Cabinet standing.

The second choice, in our estimation—

I am still quoting directly from the AMA's official testimony—

The second choice, in our estimation, would be along the lines of the Hoover Commission report; an independent agency grouping together the principal medical services of the Government, not including a few specified in that report.

Failing that—

And I hope Senators will note this carefully—

Failing that—

The official spokesman of the American Medical Association told the committee:

The reorganization plan which is being presented here we should like to see accepted, if it is done with the understanding that ultimately it may be much preferable to have the health services of the Government unified in a separate Cabinet department.

Just a moment or two later, the able Senator from Maine [Mrs. SMITH] asked Dr. Miller the direct question:

Assuming that Congress does not favor the creation of a Department of Health; you would then favor this plan No. 1?

And Dr. Miller, the official spokesman for the American Medical Association, answered:

I would say we would go along with it and do the best we can.

So it will be seen, Mr. President, there was no reason to believe that there would develop any substantial opposition to Reorganization Plan No. 1. True, several other witnesses, representing various segments of organized medicine, repeated all the half-truths and hysterical bromides with which the AMA has been flooding the country for years. But the AMA itself told the committee that it was willing to accept Reorganization Plan No. 1 and go along with it, merely reserving the right to keep on plugging for a separate Department of Health.

This attitude, together with the supporting testimony by Mr. Hoover, the Director of the Bureau of the Budget, and spokesmen of organizations representing all three of the great fields of education, public health, and social work, all made it seem impossible that we should have a report unfavorable to the plan from the committee which heard this testimony. This feeling, I am sure, was shared by the public, and it was shared by a great many doctors.

But this feeling of assurance, Mr. President, had left out of account something new that has been added to the American Medical Association—something called Whitaker & Baxter.

As the junior Senator from Minnesota has pointed out, all the big guns against this plan were kept carefully muzzled until the very last day of the hearings. It may have been only coincidence, but if it was a plan it was carefully laid and well executed. It would do credit to Machiavelli.

Suddenly, at the very close of the hearings, the AMA changed its signals. A pinch-hitter was sent in, Dr. Francis F. Borzell, speaker of the House of Delegates, the so-called democratic governing body of the American Medical Association. The cloak of Dr. Miller's calm reasonableness was cast aside. Dr. Borzell made it crystal clear that the American Medical Association had no intention of standing behind Dr. Miller's testimony. He made it clear that the American Medical Association was willing and ready to smash any plan for reorganization if, by any remote stretch of a publicity man's twisted imagination, they might do some incidental harm to the President's health program. If, by defeating Reorganization Plan No. 1, they could embarrass the President and Oscar Ewing because of their advocacy of national health insurance, they were out to do it.

A governmental need? More economical operation? More effective and efficient service to the people? While these are consummations as devoutly to be wished by the average doctor as by any other public-spirited citizen, they have never meant very much to the hierarchy of the AMA, and they mean nothing whatever to the chromium-plated publicity firm of Whitaker & Baxter. This is the team which the rulers of the AMA hired at a fancy figure to be their ministry of propaganda and public enlightenment. They are now in command of the biggest, most powerful, and most unscrupulous lobby in America, the \$3,500,000 lobby which the AMA set up to tell the doctors, on the one hand, what they are to give, and to tell the American people on the other what they are to get.

In the long run, I sincerely believe that the American Medical Association is digging its own grave, and that in the end every doctor in America will regret the blindness and arrogance their leaders are demonstrating today. But this is of no concern to Whitaker & Baxter. They never miss a trick to keep the iron hot, to justify and perpetuate their six-figure income. They have a good thing.

For their purpose, Reorganization Plan No. 1 looked like an ideal target. As every fuhrer knows, you must always have a target if you are to keep the boys in line, keep them hating, and keep them giving. What difference does it make that Reorganization Plan No. 1 has no more to do with health insurance than with Barnum & Bailey's circus? Oscar Ewing is involved in it, and he is for health insurance. Ask no more questions; that is enough.

Thus, a legitimate, well-planned, and sorely-needed overhaul of governmental machinery is made the target of hate, misrepresentation, distortion, half-truth, and downright falsehood; and the intentions of men of good will are turned into a campaign of personal vengeance directed at one man.

This is the only logical explanation, Mr. President, for the curious chain of events which confronts us. First, the official spokesman for the AMA allays the doubts and fears of those broadly representative groups which support a

Department of Welfare, by mild and temperate testimony in which he endorses the proposal as the AMA's third choice. Most supporting groups, therefore, merely file statements or letters with the committee. They do not testify. Not one important witness testified against the plan, except for the Senator from Ohio [Mr. TAFT], who, on the next to the last day of the hearings, opposes it and expresses the belief, which he has always held, that there is no substantive relationship between the functions of health, education, and security.

Let me make it clear that I do not believe for a moment that the Senator from Ohio was involved in any way in the American Medical Association's lobby strategy. Nor do I believe that the other sponsors of Senate Resolution 147 were involved in it. They have their own reasons for opposing Reorganization Plan No. 1. I disagree with them, but I respect them, and I do not in any way question their motives.

But I do question the motives of Whitaker & Baxter, and of the AMA. Up to the very last day of the hearings, Mr. President, all was quiet on the reorganization front. Then suddenly, on Friday morning, July 29, the final day of the hearings and too late for supporters of plan No. 1 to counter effectively, Whitaker and Baxter fired all their guns. A flash flood of telegrams poured down upon the committee, its members, and upon other selected Senators who, it was thought, might be influential with the committee. These telegrams were as much alike as the propaganda posters placed by Whitaker & Baxter in the doctors' offices, telling us to "keep politics out of this picture."

On the same day Dr. Borzell testified. On the same day Dr. Robert E. S. Young, president of the Association of American Physicians and Surgeons, inserted in the record of the hearings a supplementary statement supercharged with falsehood, misrepresentation, innuendo, and half truth, all calculated to leave the impression that Oscar Ewing was out to establish a dictatorship in America through the medium of the Department of Welfare proposed in Reorganization Plan No. 1. The Association of Physicians and Surgeons is not a professional organization devoted to the science and practice of medicine, as its name might indicate. It is purely and simply a propaganda arm of the American Medical Association which was set up recently as the successor to the National Physicians Committee after that organization had been thoroughly discredited because of a blatantly anti-Catholic, anti-Semitic letter appealing for support.

Since then this campaign has continued unabated, supported by all the power of the richest lobby on record, a lobby which has spent \$508,000, by its own admission, in the last 6 months alone. Tomorrow this flood will recede as swiftly as it rose; Whitaker and Baxter will turn the faucet off.

That is the real story, Mr. President, of this attempted coup de grace upon the Government of the United States.

It is hard to believe that any minority, any privately organized group of Amer-

ican citizens, would look upon the structure of their own Government so cynically, would take the working of that government so lightly that they would seek deliberately to knock out an essential cog of the machinery in order to wreak their petty vengeance upon one man. It is even harder to believe that any group would be presumptuous enough to undertake such a task, or powerful enough to feel justified in giving it a serious thought. But this is not an ordinary lobby. In size it is unprecedented. In financial resources it is unmatched. In arrogance and plain, unadulterated gall it appears to be limitless. Let me give a few illustrations of how it works.

When the American Medical Association lobby saw that the popular demand for a national-health program was spreading through the country, it decided that the time had come to stop it by any means. There was no thought, of course, of meeting the demand, but only of squelching it. Therefore, the lobby levied an assessment of \$25 on each of the 145,000 doctors who make up the membership of the AMA's component medical societies.

Not all the doctors contributed. The latest published statistics show that only \$2,000,000 of the intended \$3,500,000 has thus far been collected. But the AMA is not worried. The others will come through. There are ways to convince them that they should, for their own self-interest. Meanwhile, there are plenty of other sources. A great deal has already been contributed in the form of services and materials from such organizations as the United States Chamber of Commerce, the National Association of Manufacturers, and their respective satellites. These contributions are not gifts. They are a form of exchange, for the AMA has given equivalent value in return, through its opposition to social security, to minimum wages, and to much other proposed legislation which the NAM and the Chamber of Commerce oppose.

Whitaker & Baxter have also let it be known that they are going to take on the whole administration in league with all its other enemies, and already have circularized the doctors in some key areas to contribute to and otherwise support administration opponents in coming elections. Yet the AMA's lobby fund is tax-exempt, on the ground that it is educational.

But this is not all. The AMA sees no reason why its own cash outlays should be limited to \$3,500,000. In fact, a resolution was drawn up at the AMA convention this summer in Atlantic City which calls for the payment, beginning in 1950, of regular annual dues to the parent organization of the AMA through its State and county societies, these funds to be earmarked for the lobby. So any doctor who, having paid in his \$25 tribute, thinks he is finished with this business, should now be disillusioned. If not, he may be in for a rude shock later.

All of this money is for propaganda. The intention, which is now being carried out, was to plaster the Nation with post-

ers, billboards, broadsides, pamphlets; to din into our ears by radio, and to use all the other techniques by which toothpaste and body deodorants are sold, in order to scare the living daylights out of the American people by painting "red" anybody who dares to suggest that something ought to be done to make decent medical care available to them.

There are many, many doctors in America who do not like the manners of this lobby, who resent the demeanment of their profession in the hands of political hucksters. There are doctors who resent being told that they must give themselves over to the high art of selling insurance and open their offices to the uses of propaganda, handing out throwaways in the manner of quacks in a medicine show. There are doctors who believe an evil thing is being done to their profession when it is induced to abandon ethical standards that have stood for generations, until the day when the soap-sellers and the press agents were invited to take over.

But these doctors had no vote on the question when the American Medical Association decided to put its fate, and their money, in the hands of the publicity firm of Whitaker & Baxter. That was a decision of the ruling power in the AMA, a small minority comprised mainly of specialists reporting salaries above \$50,000 a year, and including a mere handful of busy general practitioners and not one struggling young physician.

The minority is the "old guard" of medicine, and the structure of the AMA is such that they have been able to entrench themselves with tremendous and disproportionate powers. The decisions of organized medicine are their decisions; the voice of organized medicine is their voice. The thousands of hard-working country doctors and progressive young physicians in the cities must accept those decisions quietly. They have no effective choice.

Thus, when Whitaker & Baxter registered themselves as lobbyists in Washington at \$9,000 a month, the rank and file of the medical profession could only be nauseated in silence. When Whitaker & Baxter revealed the paid advertising techniques by which they hoped to bribe the Nation's press into editorial opposition to the national health program, the men whose money was to pay the bribe could only dig down, fearful of the many reprisals that could be brought against them by their local medical societies.

Let me give you just one example, Mr. President, which I believe will come as something of a shock to many Senators, as it did even to me—and I am used to this kind of thing. It will not be a surprise to my good friend, the Senator from Minnesota [Mr. HUMPHREY], for it occurred in his State. Last May, the Minnesota State Medical Association met in annual convention. At that meeting the house of delegates passed a resolution which amounted to an open bribe to the press of the State, and was, in fact, an abandonment of ethical standards which the medical profession has held sacred for more than 100 years. The resolution explained that whereas the press resented having to bear the



burden of indirect publicity for the doctors' campaign against the national health program without remuneration, doctors in Minnesota henceforth would be allowed to insert professional cards as paid advertising in local newspapers.

Mr. President, I am sure that we all know what this means. I am sure that all my colleagues appreciate the importance of the time-honored prohibition of doctors' advertisements, as a means of keeping quacks and commercialism out of the practice of medicine, and of protecting the public against the blandishments and false claims of fakers. Yet, so intense has been the pressure on the doctors from their lobby headquarters that they willingly sacrificed the very ethics of their own profession in order to maintain the flow of free publicity in the columns of the press. The possibility that the press might not respond, apparently was not even considered. For the good of America, I hope the honest newspaper publishers of the Nation will reject this bribe and will condemn it for the despicable action which it is. Unfortunately, they have not been quick to do so.

Another example, Mr. President, was the offer by the AMA, about a year ago, of a substantial cash prize to the cartoonist who would submit what the AMA considered to be the best cartoon against national health insurance. Entries were limited to cartoons actually published in the newspapers for which the cartoonist worked. On this occasion the press responded quickly. This was a bribe, not of the press itself, but of the cartoonists; and Editor & Publisher, the trade journal of the press, promptly rebuked the AMA. The contest fizzled out, as a result.

These incredible violations of professional integrity are countenanced because the ethics of medicine have been placed at the disposal of hucksters. I grant that the publicity firm which now determines the public policies of American medicine is zealous enough. Within its own profession of propaganda and lobbying, I think it has earned the honorary degree of D. P.—Doctor of Propaganda. But of the medical profession, of its high ideals, of its very reason for being, it seems not to have gained the slightest conception.

What I have sought to give you, Mr. President, is a little character testimony on the principal witness against Reorganization Plan No. 1. I know the witness intimately. The American Medical Association was my chief opponent in the election last fall. I know their methods. I also know that they have very little influence at the ballot box; in fact, their opposition got me so many votes that I won last fall by the largest majority I ever received. The people of this country simply will not tolerate such arrogance, and I am confident that the Senate will not tolerate it, either.

One other point: In a recent hearing on this question, Mr. Ewing was accused of perpetrating an insult for even suggesting that an attempt was being made by the American Medical Association's lobby to influence a Senate decision. Mr. President, while all of us know the foolishness of any person or any group

who makes such an attempt, it appears that not all of us know the overweening arrogance of the organization Mr. Ewing had in mind.

I say that such an attempt has been made on this body, and is still being made. I say that Mr. Ewing's hope that the United States Senate would prove impervious to the raw pressure of that lobby was a hope wisely harbored.

More important, however, than the character and aims of the American Medical Association's lobby; more important than the opinion polls showing popular sentiment running 2 to 1 for a Department of Welfare; more important, even, than the issue of Government reorganization, is the question: What price America? How much money does it take to enable any one special interest to dictate the administrative form of a United States Government department?

To organized medicine, I say that all the money in the world, all the political influence it might exert if every one of the Nation's 180,000 doctors were solidly behind it, would not be enough for that.

If this richest and most powerful lobby in America is able to dictate what we shall do in fashioning one sector of our Government, where will its power stop? If it is permitted to tell the American people that they cannot have a Department of Welfare, why should it not be able to abolish the Antitrust Division of the Department of Justice, as some of its recent allies would like very much to do?

The decision we face, when this issue is brought to a vote, is not whether to affirm the wisdom of placing a Department of Welfare within the ranks of other departments of our Government. That wisdom has been affirmed and reaffirmed. We are asked to decide, rather, whether the Government of the United States can be purchased.

Whence, Mr. President, does the insult come?

Mr. FLANDERS. Mr. President, I wish to speak very briefly on the question of the extent to which Reorganization Plan No. 1 follows the Hoover Commission recommendations. I find that it differs in a number of particulars and to a large extent.

In the first place, the Department of Welfare under Reorganization Plan No. 1 omits one of the bureaus which were assigned to it by the Hoover Commission report. That is the Bureau of Indian Affairs. Furthermore, the Food and Drug Administration, which, under Reorganization Plan No. 1, is left in the Department of Welfare, is by the Hoover Commission report assigned to the Department of Agriculture. Furthermore, the proposed legislation calls for the retention in the Department of Welfare of the Bureau of Employment Compensation, which by the Hoover Commission recommendations was assigned to the Department of Labor. Plan No. 1 also calls for the retention of the Employees' Compensation Appeals Board in the Department of Welfare, and that agency likewise was assigned by the Hoover Commission recommendations to the Department of Labor. Plan No. 1 also calls for the retention in the Department of

Welfare of the Division of Industrial Hygiene, which likewise was by the Hoover Commission report assigned to the Department of Labor.

Mr. President, I can see no reasons why the Department of Welfare should have all those agencies carried over bodily into it, when some of the agencies could have been left in the appropriate places in which the Hoover Commission report placed them.

I believe there is something also to be considered in connection with the item which has had the most discussion on the floor up until now. That is the location of the Public Health Service. The point was made by the junior Senator from Minnesota that there was no place in which to put the Public Health Service, that the United Medical Administration had not yet been created, so that, with no place to go, it should be placed under the proposed Department of Welfare. It seems to me, Mr. President, there would be more strength to the argument were it not for the fact that the proposed reorganization plan does set up a completely new department with Cabinet status in the form of a Department of Welfare. It, for the first time in the history of the Government, establishes by administrative action a new department of the Government, with its head a member of the President's Cabinet. If the reorganization plan can accomplish such a radical and hitherto unknown step as this, it seems to me it might well have set up at the same time the proposed United Medical Administration, so that the Public Health Service would have a place to go, to which place the Hoover Commission report assigned it.

That leads me in conclusion to raise a question, which I do not feel I have the legal knowledge or experience in Government to answer. It is the question as to whether it is legally possible to establish by administrative action a new, full-fledged department of the Government having Cabinet rank. I raise that question, Mr. President, and I leave the answer to others more skilled in the law and in governmental affairs.

Mr. LODGE. Mr. President—

The PRESIDING OFFICER. Since it is necessary that time be kept in connection with the debate, the Chair requests the Senator from Massachusetts to state how much time he expects to use.

Mr. LODGE. I expect to take about 10 minutes.

The PRESIDING OFFICER. There is, of course, no limitation.

Mr. LODGE. Mr. President, in the first session of the Eightieth Congress there was passed by unanimous vote in the House and in the Senate, Public Law 162, which created the Commission on Organization of the Executive Branch of the Government. Every Member of the Senate and of the House, Republican and Democrat, voted for it. It was signed by a Democratic President and became a law. Four members were appointed to the Commission by the Speaker of the House, four by the President of the Senate, and four by the President of the United States. Of the 12, 6 were Democrats, 6 were Republicans.

They were men of the highest caliber, as I think is generally recognized. They submitted a report, which is the report of the Commission on the Organization of the Executive Branch, and inasmuch as I was the Senate author of the bill which created the Commission, I feel I would be negligent in my duty if I did not say a few words at this historic moment when we are confronting the first reorganization order to come before us as a result of that report.

I take it there is no question that former President Hoover, the Chairman of the Commission on Organization of the Executive Branch, is in favor of Reorganization Plan No. 1. The telegram which was read into the RECORD an hour or so ago makes that clear, and the testimony in the official record makes it clear. The fact that Mr. Hoover says he regards Reorganization Plan No. 1 as a first step cannot, it seems to me, be twisted into an argument that what it proposes should not be done because it does not at the same time undertake the second step. I think the second step should be taken; I can even agree it would be preferable if the first and second steps were taken together; but I cannot agree with the argument that, because the second step is not undertaken simultaneously, we therefore should not take the first step. If the President and those who are in the majority in Congress are unwilling to take the second step, then the country will know where to put the blame for the failure; but we ourselves should not make the error of refusing to take the first step.

The more one reads the record, the less able he is to find anything in it which indicates any belief on the part of Mr. Hoover that it would be in any way impossible to remove Federal health and medical functions from a department of welfare and set them up in the proposed United Medical Administration, as has been claimed here by those who are opposed to Reorganization Plan No. 1. I think it is worthy of note that when Mr. Hoover speaks on this subject he does not merely speak for himself; he speaks as the spokesman of the Hoover Commission. He speaks as the spokesman of a commission which had the advice and the help of a task force, so-called, on medical services, which included some very distinguished and prominent names in the medical field. I should like to read the names of the members of the task force on medical services:

#### MEDICAL SERVICES

Chairman: Tracy S. Voorhees, president, the Long Island College Hospital, and special assistant to the Secretary of the Army.

Committee: Dr. O. H. P. Pepper, professor of medicine, University of Pennsylvania; Dr. Hugh Jackson Morgan, professor of medicine, Vanderbilt University; Dr. W. C. Menninger, the Menninger Foundation, Topeka, Kans.; Dr. Ray Lyman Wilbur, Stanford University; Dr. Frank R. Bradley, director of Barnes Hospital, St. Louis, Mo.; Dr. R. C. Buerki, director of hospitals, University of Pennsylvania; Charles Rowley, former trustee of Massachusetts Investors Trust; Henry Isham, president of the board of trustees of Passavant Hospital; Dr. Paul R. Hawley, former Chief Medical Director, Veterans' Administration; Dr. Michael DeBakey, associ-

ate professor of surgery, Tulane University, New Orleans, La.; Dr. Allen O. Whipple, clinical director, Memorial Hospital, New York City; Goldwaite H. Dorr, of Dorr, Hammond, Hand & Dawson, New York City, former special assistant to Secretary of War Stimson; Edward D. Churchill, M. D., professor of surgery, Harvard Medical School, Harvard University; Alfred Newton Richards, vice president in charge of medical affairs, University of Pennsylvania.

Secretary: Rear Adm. Joel T. Boone, secretary of the Secretary of Defense's Committee on Medical and Hospital Services of the armed forces.

That is the membership of the task force on medical services which advised the Hoover Commission. I am not undertaking to say they are in favor of every word of Reorganization Plan No. 1, but I think it is very significant that nothing has been heard from any of these men which in any way opposes or seeks to prevent the going into effect of Reorganization Plan No. 1.

Mr. President, I speak with the utmost respect for those who are opposed to the plan. As a matter of fact, I say frankly I see very little to be gained by the charges of lobbying which have been made in the course of this debate. I imagine that some lobbying is being done on both sides. So far as I am concerned, I have received telegrams and letters on both sides. But I get telegrams and letters on both sides of every question. No one in this particular dispute has in any way tried to put any improper or excessive pressure on me. I believe we can make greater headway if we agree that persons on both sides of this issue are acting in good faith and that they are not indulging in any improper tactics.

From reading the list of the physicians who were on the medical task force of the Hoover Commission, it will be seen that very eminent physicians are on both sides of the question.

I should like to read a few excerpts from the testimony regarding Reorganization Plan No. 1 in order to substantiate the contention which I make that the plan is entirely in accord with the recommendations of the Hoover Commission. Here is former President Hoover's statement on the President's reorganization plan, generally:

I might say generally that the task of reorganization of the executive branch proved on investigation to go much further than can be carried out by any delegated authority to the President, and that, while I entirely agree and support these plans, I do want to emphasize the fact that if we are to have real organization, it is going to be necessary in practically every case to have definite legislation of important and searching order.

That question, I think, underlines the point which I have been trying to make, that Mr. Hoover favors this plan and he also favors definite legislation. No one can find any conflict between the two. On the contrary, one is supplementary and complementary to the other.

Here is the recommendation of the Hoover Commission on United Medical Services:

The task force on medical services was instructed to base its original report on the premise that "the Commission will recommend a Cabinet Department embracing

health, education, and security." However, in view of the size of the medical operations of the Federal Government and the extreme dissimilarities among the activities which would have composed such a department, the task force was later requested to consider the advisability of placing medical-service functions in a single agency. Its supplementary report very strongly favors a separate United Medical Administration.

Here is a further statement by Mr. Hoover:

In order to carry out the Commission's recommendations, it is necessary to set up a United Medical Service Administration in the Government before the health functions in the Federal Security Agency can be transferred. The creation of that agency, I am advised, will require specific legislation before the President could transfer agencies to it.

There is no inconsistency there. He simply says that we must establish a United Medical Service Administration before we can transfer functions. There is nothing which says that in the meantime we should not transfer these functions to the Department of Public Welfare until the United Medical Administration is established.

In response to a question in the Committee on Expenditures in the Executive Departments as follows:

Does Plan No. 1 ignore the Commission's recommendations?—

Mr. Hoover said:

I do not think the President has ignored the recommendations, because the whole problem of reorganization is so greatly interlocked.

Later on the Senator from Wisconsin [Mr. McCARTHY] asked this question:

Senator McCARTHY. Do I understand, then, that your thought is that Plan No. 1 is definitely a step forward, and that when we pass the necessary legislation to make it possible that can be improved to the extent that it will conform substantially to the Hoover Commission's recommendations?

Mr. Hoover. They can be if the rest of the program is carried out, yes.

The Senator from Louisiana [Mr. LONG] asked this question:

Senator LONG. Do you find any conflicts in the President's plans as submitted with the recommendations of the Commission that you headed?

Mr. Hoover. No; there are no substantial conflicts. These are steps in the same direction.

Later on the Senator from Louisiana [Mr. LONG] asked this question:

Senator LONG. What I had in mind, for example, is the difference in the proposals here on the organization of the Department of Welfare; that includes various agencies, I believe, that you had not recommended be included in one department. I understand, for example, you had not recommended that these other functions be included with the education and social-security functions.

Mr. Hoover said:

Mr. Hoover. We recommended that a new agency, for instance, be set up, to be called the United Medical Services, that would embrace the public health and hospital services of the country. That, I am advised, could not be done without a special act of Congress. Therefore, it is no criticism of the President's plan to point out that those bureaus cannot be transferred at the present moment.



In the Washington Post of yesterday there appeared an editorial, a few brief statements in which I should like to cite, and which I think illuminate the whole subject. The editorial is entitled "Reorganization Peril," and it says:

Failure to approve these important plans . . . would imperil the rest of the reorganization program. "Every special-interest group concerned with the operation of the Government"—

The editorial quotes the President as saying—

"will be encouraged to try to block further steps toward efficiency and economy."

Critics fear that the establishment of a department of welfare would result in introduction of compulsory health insurance, and that health functions would be assigned to the new department under the direction of the present head of the Federal Security Agency. As a Cabinet member, it is claimed—

We have heard it claimed today—

It is claimed that official will have a great deal of influence over decisions as to the placement of health, hospitalization, and related governmental activities.

If the Senate were to act on the basis of such fears, the rest of the Hoover program would have hard sledding, for every proposal for strengthening the Government organization is necessarily based on the assumption that the officeholders who are responsible for the execution of the reforms are trustworthy and reasonably competent. If Congress turns down reforms that experts regard as essential simply to keep officials "in their place," wasteful and obsolescent organizational patterns cannot be discarded.

The editorial says, further, that these reorganization plans—

would not change governmental policies with respect to employment or health matters.

Those matters await legislative action by Congress.

The editorial continues:

It is absurd . . . to jump to the conclusion that the creation of a department of welfare would limit the freedom of Congress to determine national-health policies.

Mr. President, I am opposed to socialized medicine, which I define as meaning a system which results in lowering the standards of medical care, in lowering the standards of medical education, in depriving a patient of the choice of his doctor, and in establishing a system whereby every "gold bricker" can get space in a hospital, with the result that a really sick person cannot receive care. If that is what is meant by socialized medicine, then I am opposed to it.

I do not happen to know Mr. Ewing, and I certainly hold no brief for him. What I read about him leads me to the conclusion that he has caused a great deal of justifiable uneasiness in the minds of persons who are leaders in the medical professions, many of whom are not unreasonable and stiff-necked, and who are willing to take imaginative and unselfish measures to bring the Government into a helpful relationship with public health. But it occurs to me that if we do not like Mr. Ewing, we have a chance to express our approval or disapproval of him when his nomination

comes before the Senate for confirmation. We cannot view the whole question of Government reorganization simply on the basis of whether we like or do not like a particular official.

I think the Presiding Officer remembers very well that early in this session, when we were considering a general legislative power to be given the President to reorganize, on two occasions I objected to the efforts of the Army engineers to use pressure to exclude themselves from the operations of the Reorganization Act. Later, during the winter, I noted in the newspapers the attempts of some interests to see to it that certain financial activities of the Government, the FDIC and the Federal Reserve, I believe, should be exempted from the operations of the law. I objected to that, because I think that if we are to have any reorganization at all we have to reorganize everything, and cannot make exceptions.

Certainly if, as the author of the bill creating the Hoover Commission, and as one who had objected to the making of exemptions for the Army engineers and exemptions for the FDIC and the Federal Reserve, I were now to yield to the fears being expressed it would not only put me in an inconsistent position, which is not very serious for anyone except myself, but it would raise a very great doubt in the minds of citizens all over the country as to whether or not the over-all task of reorganizing the Government had any future at all.

What is at stake here today is really not the public health of the American people. If that were at stake, it would be an utterly vital question, and we should decide it entirely on its own merits, without regard to anything else. But the public health of the American people is not at stake here today. What is at stake is the fate of Government reorganization. Involved in the fate of Government reorganization is the question of the whole future of economical and efficient government in the United States.

We cannot repeat too often that the reason for the downfall of popular government in so many other countries of the world has been that those governments were ineffective and inefficient in meeting the issues of the day, and in translating into effective action the aims of the people. If our free system is to survive, and if we are to continue to have a democratic form of government, the Government has to be made economical, it has to be made efficient. With the people so burdened as they are by taxes, with the burdens of government so enormous as they are, we simply cannot afford to go on carrying a lot of waste. In these times of crisis, when we demand great tasks of the Government and great performance by the Government, we cannot go on having the Government organized in a way which is not efficient. That is what is at stake here today.

Therefore, Mr. President, so far as one Senator is concerned, only a very compelling reason would persuade me to vote against this first reorganization order, and, with all due respect to those who

are opposed to it, I do not think that such a compelling reason has been alleged.

Mr. DONNELL. Mr. President—

Mr. McCLELLAN. I yield 20 minutes to the Senator from Missouri.

The PRESIDING OFFICER. The Senator from Missouri is recognized for 20 minutes.

Mr. DONNELL. Mr. President, the plan which is before the Senate for consideration and action today does two things, among others. One of them is to change the name of the Federal Security Agency to the Department of Welfare. The second is to constitute that Department an executive department. There are provisions with respect to who shall appoint the head of the Department, what his salary shall be, what his functions shall be, but I submit that the two fundamental things which are done are merely to change the name to the Department of Welfare, and to constitute it an executive department.

Are there any differences in the functions which are to be performed by this executive department from those which are now performed by the Federal Security Agency? The answer is, "No." The President of the United States, in his letter of transmittal of Reorganization Plan No. 1, said:

This new Department will perform the functions and conduct the programs now administered by the Federal Security Agency.

The Director of the Budget, referring to the Federal Security Agency, said:

No functions would be added to it by this particular plan, and no functions would be subtracted from it.

In other words, as Mr. Pace so concisely said, there will be no additional functions, nor will there be any subtraction of functions, after this process of the creation of an executive department, which is a Cabinet position, shall have been effected.

Mr. Ewing, who is now the head of the Department, said in his testimony:

No new activities or functions are added or subtracted. The Department of Welfare will simply continue to carry on the identical activities now being conducted by the Federal Security Agency, except, of course, as they may be modified by plan No. 2 and other plans that may be subsequently submitted and allowed to go into effect.

Mr. President, we have before us for action by the Senate, as I see it, primarily that to which the Senator from Vermont so concisely and modestly alluded, namely, the creation of a Cabinet office. I wish to address myself very modestly, too, to an attempt to answer the question which the Senator from Vermont placed before the Senate, namely, as to the legality of the creation of a Cabinet office by the proposed reorganization plan now under consideration.

I have in my hand what I may term the fundamental act underlying this plan. That fundamental act is the Reorganization Act of 1949. After setting forth various things in section 3, it says, "Whenever the President, after investigation, finds" it necessary to accomplish one or more of the purposes of section 2 of the act, and his power is then defined. He has no power created by this act except

as defined in section 3. All other provisions of the act are ancillary to that, and his power with respect to the proposed reorganization plan which is here sought to bring about the creation of a Cabinet office is set forth in these simple words:

He shall prepare a reorganization plan for the making of the reorganizations.

Does the making of the reorganizations include the creation of a Cabinet office? What does the word "reorganization" mean as defined in the act itself? Section 8 reads as follows:

For the purposes of this act the term "reorganization" means any transfer, consolidation, coordination, authorization, or abolition, referred to in section 3.

Mr. President, I submit that section 8 does not include the creation of anything. It does not include the creation of an executive department.

The term "reorganization," as I have indicated, means a transfer. Someone may say, "Well, the proposed reorganization plan contemplates and provides for a transfer from the Federal Security Agency to a new Cabinet department of certain functions." Yes, Mr. President, that is true, but before the transfer can be made it must be necessary to create the transferee. True, by a reorganization anything may be transferred from the Federal Security Agency to the Department of the Interior, to the Department of Commerce, to the Department of Labor. They are existing transferees. But before a valid transfer can be made to a new Cabinet department there must first be created that Cabinet department. I submit most earnestly that the Reorganization Act of 1949, Public Law 109, does not give to the President the power to create a Cabinet position.

Mr. HUMPHREY rose.

Mr. DONNELL. Mr. President, I yield with the understanding on the part of the Senator from Minnesota that I have only 20 minutes of time allotted me, and I have quite a considerable amount to cover.

Mr. HUMPHREY. I should like to ask the Senator if he is familiar with the committee report?

Mr. DONNELL. I am, and I shall discuss it.

Mr. HUMPHREY. On pages 7 and 8 of the committee report it is noted that the Reorganization Act of 1945 contained a prohibition against new executive departments being created under the reorganization plan, but then the report went on to say:

At least one agency—the Federal Security Agency—has been established by plan which obviously is of departmental magnitude and importance and should have been designated as an executive department. No good purpose has been served by the old prohibition.

Is it not then true that, in the judgment of the committee as set forth in the committee report, and from an examination of the legislative history, the prohibition against the creation of an executive department had been removed, and that an open invitation was literally extended to the President to do just what has been done? Is not the legislative

history quite clear that there were actual proposals for the establishment of a Department of Welfare, which were withdrawn because of the Reorganization Act of 1949?

Mr. DONNELL. I will answer the Senator by saying that I had fully intended to discuss that point, and had marked page 16, which, to my mind, presents very clearly the point to which the distinguished Senator from Minnesota alludes. I want the Senate to hear it. This is from the committee report filed April 7, 1949, by the Committee on Expenditures in the Executive Departments. It says:

The committee rejected the provision contained in section 5 (1) of H. R. 2361—

Which was the bill corresponding to the Senate bill—

prohibiting the creation of new departments. This was in line with the above-outlined position designed to place no restrictions on the President in the submission of reorganization plans, and will—

I call the Senate's attention to this language—

and will permit the submission of reorganization plans calling for the establishment of new departments with Cabinet rank.

It is perfectly clear that that is what was said in the report of the committee. I have no doubt that the Senator from Minnesota is entirely correct in his thought that the committee—or at least whoever drafted the report—had in mind the removal of the prohibition. I may say that every Senator upon the floor realizes that a large proportion of the reports which come to the Senate and are presented by Senators are prepared by members of staffs and not by the Senators and do not necessarily represent the conclusion of the Senators. I am quite willing to agree with what the Senator has said, namely, that the indication is very clear that the committee had in mind that the removal of a prohibition against the creation of an executive department was designed to vest in the President the power to create such an executive department by a reorganization plan.

But, Mr. President, there are many statutes, many acts of Congress which have been defective. I fully realize that a court might sustain the position based solely on the legislative history to which the Senator from Minnesota alludes, and might take the view that in light of that legislative history the conclusion of the court should be that the President does have the power. I am not saying dogmatically that the court would decide as I have laid down what I think is the meaning of the statute. But I nevertheless say that after we read the statute itself which, after all, is what was crystallized after the committee report, what was passed by Congress, what the Senate wanted to do, and presumably did do, there is nothing in the statute, as I read it, which gives the President the power to create an executive department.

Mr. President, I say it is entirely possible that a court might take the view arrived at from a study of the legislative history to which the Senator from Min-

nesota alludes, and I should not be greatly surprised to see at least some judges take that position. I am not inferring against any judges. I mean the human mind varies, so one person sees one side and the other sees the other. But I undertake to say that to my mind, when I read in the act that—

For the purpose of this act the term "reorganization" means any transfer, consolidation, coordination, authorization, or abolition, referred to in section 3—

the creation of a new department is not encompassed by any of that language. If the Reorganization Act is to be read and construed according to what it says, the answer to the Senator from Vermont is that the President has no power under the Reorganization Act.

Mr. President, in view of the point raised by the Senator from Minnesota and the point raised by me, I submit that it may be reasonably expected that if the reorganization plan shall be adopted, litigation will be absolutely necessary to determine whether or not the President does have this power. That litigation may result favorably to the contention of the Senator from Minnesota. It may result favorably to the contention which I have asserted. But to my mind it is as clear as that 2 and 2 make 4 that no one can say with positiveness today, without the prospect of litigation, that if the plan shall be approved by the Senate of the United States the power will have been validly conferred upon the department so created or undertaken to be created by this particular plan.

Mr. President, what is to be accomplished by this particular reorganization? The President does not tell us.

He says in his letter of transmittal:

I have found and hereby declare that each reorganization included in this plan is necessary to accomplish one or more of the purposes set forth in section 2 (a) of the Reorganization Act of 1949.

Those purposes are set forth on the first page of the act. What are the one or more of the purposes therein set forth that the President had in mind, and why did he not specify what those purposes are which the plan is necessary to accomplish? Will it accomplish a dollar savings? Will it bring about any contribution to the economical administration of the Government? Mr. Pace, the Director of the Budget, said:

Either to state exactly how that will occur or what the dollar savings might be would be both impossible and impracticable.

Then he continues:

It will accomplish no immediate saving.

It is entirely possible that the plan may accomplish some saving. Yet it is very difficult to see how merely turning the agency into a Cabinet Department with precisely the same functions and duties as exist under the existing law, will effect any very great or material saving.

Is it going to accomplish an abolition of duplication? Mr. Pace, Director of the Budget, says:

Specifically I can't specify that duplication does exist.



Mr. President, there may be some good results to be expected from this plan. I have no doubt the President thinks so. But what are they, and what proof does the Senate have that such results will be produced?

The distinguished Senator from Minnesota [Mr. HUMPHREY] took the view—and vigorously and eloquently sustained it to the very best of his ability—that to defeat the plan would be to weaken the first plan to carry out the program of the Hoover Commission. The report of the committee, he says, does not charge that the plan is opposed to the recommendations of the Hoover Commission. To be sure, there is nothing in this report that says in so many words that this plan violates the Hoover Commission report, but I call attention to the fact that on page 6 of the report are these significant words:

Reorganization Plan No. 1 conforms to recommendations of the Commission on Organization of the Executive Branch of the Government in these aspects only—

I emphasize the word "only" as clearly indicating, as admitted here today, that there are other aspects in which the reorganization plan does not conform to the recommendations of the Commission on Organization of the Executive Branch of the Government. Indeed, it is as clear as the fact that 2 and 2 make 4 that there are important respects in which the provisions of this plan are positively and directly contrary to the recommendations of the Hoover Commission. We had read to us today a telegram from Mr. Hoover. It is true, as Mr. Hoover says, that:

I supported the President's seven plans as first steps—

I can understand how Mr. Hoover would have done that. I can see how he would not have wanted to place himself in the position of contending that these are not first steps, or in fact believing that they were not first steps. But how faltering they are. Mr. Hoover says in his telegram of today:

The recommended reorganization will, of course, not be effective until these further steps are undertaken.

We have been told that substantially the main points of the Hoover Commission recommendations have been adopted in this plan. To my mind, some of the main points in the Hoover Commission report have not been complied with in the plan, but on the contrary are directly opposed by the plan. The Commission says:

In our report on medical services we have recommended a separate United Medical Administration reporting directly to the President.

Again, it states:

That agency would embrace the major hospitalization, medical research, and public health activities of the Government.

It further states:

In our report on the Labor Department we recommended the return of several agencies now in the Federal Security Agency to that Department.

I see in the Chamber one of the distinguished members of the Commission

who was in the minority on some portions of the report of the Commission. I refer to the distinguished senior Senator from Vermont [Mr. AIKEN], who joined with two other members in stating:

We agree with the recommendation in the Commission report that the Unemployment Compensation and Employment Service functions should be transferred to the Department of Labor. They are labor functions, not welfare functions.

Turning to page 12 of the report, on social security, we find that the Commission itself—not the task force, but the Commission itself—states:

We elsewhere recommend the transfer from the present Federal Security Agency of the following: Bureau of Employees' Compensation, to the Department of Labor; \* \* \* Employees' Compensation Appeals Board, to the Department of Labor; \* \* \* Bureau of Employment Security, to the Department of Labor; \* \* \* Public Health Service, to the United Medical Administration; Food and Drug Administration, partly to the Department of Agriculture and partly to the United Medical Administration.

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. DONNELL. Mr. President, may I have 3 minutes additional?

Mr. McCLELLAN. Mr. President, I yield three additional minutes to the Senator from Missouri.

Mr. DONNELL. I thank the Senator.

If we do not create the United Medical Administration and put the medical services in a separate agency, what will happen? When we pass the legislation which we are told today should be passed in order to make it effective, what will be expected? A veto, which, as the Senator from Connecticut [Mr. BALDWIN] pointed out, will mean the necessity of a two-thirds vote in each House of Congress, as distinguished from a simple majority, in order to pass the legislation.

Why such haste in this matter? Why not comply with the Hoover Commission recommendations? Certainly if a new Cabinet office can be created, according to the contention of the Senator from Minnesota, by such a plan as this, a United Medical Administration can likewise be created, notwithstanding what the Senator from Massachusetts [Mr. LODGE] read as the view of some lawyers. Why not comply with the Hoover Commission recommendations, instead of taking them piecemeal?

It is perfectly clear to my mind that the President of the United States does not believe—I make no criticism of him—in taking out of the Federal Security Agency, whether it be a mere agency or a Cabinet agency, the power over health matters. That may be due to his own belief in compulsory health insurance. It may be due to the fact that Mr. Ewing, who is the head of the agency, and who, under this particular plan, is to remain for 60 days in this office, notwithstanding the fact that the Senate will not have passed upon him, will have certain advantages in the way of the possibility of future appointment as a Cabinet member. It may be because Mr. Ewing is so strongly in favor of compulsory health insurance.

The fundamentals of the Hoover Commission report—at least some of the fundamentals—are not carried out by this plan. Furthermore, in response to the question of the junior Senator from Vermont [Mr. FLANDERS], it was pointed out that there is serious doubt as to the power of the President to create the position of Cabinet officer under the power given to him by the Reorganization Act as it now exists.

Under those circumstances, and in view of the fact that we can take our time to study the recommendations of the Hoover Commission or enact a plan, or the President can present us with a plan which does follow those recommendations, I submit that the Senate should not vote today in favor of approval of Reorganization Plan No. 1.

Mr. HUMPHREY. Mr. President, at this time I yield 20 minutes to the distinguished Senator from Vermont [Mr. AIKEN].

The PRESIDING OFFICER. The Senator from Vermont is recognized for 20 minutes.

Mr. HUMPHREY. May I suggest the absence of a quorum?

Mr. AIKEN. So long as it does not come out of my time.

The PRESIDING OFFICER. It will be out of the Senator's time if it is suggested now.

Mr. HUMPHREY. Mr. President, I yield 25 minutes to the Senator from Vermont, and suggest the absence of a quorum. I think the Senate should hear what the distinguished Senator from Vermont has to say.

The PRESIDING OFFICER. The absence of a quorum is suggested. The clerk will call the roll.

The roll was called, and the following Senators answered to their names:

Aiken	Hendrickson	Millikin
Anderson	Hickenlooper	Morse
Baldwin	Hill	Mundt
Brewster	Hoey	Murray
Bricker	Holland	Myers
Bridges	Humphrey	Neely
Butler	Hunt	O'Connor
Byrd	Ives	O'Mahoney
Cain	Jenner	Pepper
Capehart	Johnson, Colo.	Robertson
Chapman	Johnson, Tex.	Russell
Chavez	Johnston, S. C.	Saltonstall
Connally	Kefauver	Schoeppel
Cordon	Kem	Smith, Maine
Donnell	Kerr	Smith, N. J.
Douglas	Kilgore	Sparkman
Downey	Knowland	Stennis
Dulles	Langer	Taft
Eastland	Lodge	Taylor
Ecton	Long	Thomas, Okla.
Ellender	Lucas	Thomas, Utah
Ferguson	McCarran	Thye
Flanders	McCarthy	Tydings
Frear	McClellan	Vandenberg
Fulbright	McFarland	Watkins
George	McKellar	Wherry
Gillette	Magnuson	Wiley
Graham	Malone	Williams
Green	Martin	Withers
Gurney	Maybank	Young
Hayden	Miller	

The PRESIDING OFFICER. A quorum is present.

Mr. AIKEN. Mr. President, because of the limited time, I shall not be able to yield during the remainder of the time available to me.

I think it has been rather unfortunate that in all the discussion of Reorganization Plan No. 1, considerable more heat than light has been generated. To judge from the talk we have heard about

this plan, one would think it had to do with socialized medicine, compulsory health insurance, or the virtues or lack of virtues which Oscar Ewing may possess.

As a matter of fact, those topics should not enter into the discussion of Reorganization Plan No. 1 at all, for it does not give any new powers to Mr. Ewing. It does not go a single step further toward compulsory health insurance, which I personally believe would be unwise, particularly at this time. Neither does it prevent the Congress from setting up a separate medical and hospital administration, if it so desires.

I have been somewhat disturbed over the interpretations given to the reports and recommendations of the Hoover Commission. As a member of that Commission, it was my privilege to work on the subcommittee which dealt with the very subject covered by Reorganization Plan No. 1, and also with the subject covered by Reorganization Plan No. 2, which will be before the Senate tomorrow.

Although Reorganization Plan No. 1 does not carry out in detail all the recommendations of the Hoover Commission affecting the Federal Security Agency, every change it makes in the present organization of that agency is in strict conformity with the Commission's proposals.

In its report on social security, education, and Indian affairs, the Hoover Commission unanimously recommends the creation of a new department to include most of the activities in the Federal Security Agency which deal with education and social security, plus the Office of Indian Affairs. Plan No. 1 simply constitutes the Federal Security Agency a Department of Welfare. This step is not in any sense in conflict with the Hoover Commission's recommendation, since it does not prejudice any Commission proposals for future transfers into or out of the Department.

Plan No. 1 is in complete conformity with all general principles of executive management laid down by the Hoover Commission in its first report.

The Commission recommends as a primary objective that—

The numerous agencies of the executive branch must be grouped into departments as nearly as possible by major purposes in order to give a coherent mission to each department.

Plan No. 1 carries out this recommendation by completing the departmental structure of the executive branch, thereby establishing the essential framework within which the purposes of the Reorganization Act of 1949 must be carried out.

The Department of Welfare—and I know there is objection to the name—makes 10 departments of government, which the Hoover Commission considered essential for the grouping of all the activities of the Government except those specifically exempted from departmental inclusion.

The major purpose of the new department is the preservation and development of human resources, a field of Government activity of such importance and

magnitude that there is no disagreement that it deserves departmental status.

The Commission lays down the principle that—

Within each department, the subsidiary bureaus should also be grouped as nearly as possible according to major purposes.

Plan No. 1 carries out this recommendation completely, since the subsidiary bureaus of the Federal Security Agency are clearly grouped in accordance with their major purposes, that is, education, health, social security, and so forth.

The Commission also lays down the principle that—

Under the President, the heads of the departments must hold full responsibility for the conduct of their departments. There must be a clear line of authority reaching down through every step of the organization and no subordinate should have authority independent from that of his superior.

That is a very vital factor to be followed in establishing good government anywhere.

Mr. McCARTHY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Wisconsin?

Mr. AIKEN. I do not have time to yield. I am sorry, but I only have so much time allotted to me. I should rather finish what I have to say.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. McCARTHY. I wonder whether the Senator will do this: I have 20 minutes' time coming up. I will assign some of my time to the Senator to make up for the time he yields to me. I think this is important. I will give the Senator a part of my time.

Mr. AIKEN. I should rather yield when I have concluded what I have to say, if there is any time provided from any source whatever.

Mr. McCARTHY. Very well. That will be satisfactory. I will give the Senator a part of my time.

Mr. AIKEN. Plan No. 1 carries out this recommendation by providing for a Secretary of Welfare to whom the functions of all officers and constituent units of the Department will be transferred, subject to delegation by the Secretary.

Former President Hoover, I am sure, must be interested in hearing all the discussions and arguments telling what he meant by his various statements and recommendations. But he concurs in the consistency between plan No. 1 and the recommendations of the Commission on Organization. On June 30 he testified on the President's Reorganization Plans before the Committee on Expenditures in the Executive Branch. He stated:

I wish to say at once that the seven plans are all steps on the road to better organization of the administrative branch. They are, insofar as they go, substantially in accord with the recommendations of the Commission on Organization of the Executive Branch of the Government.

The difficulty with this subject is that the President's authority under the Reorganization Act of 1949 is very limited. In most of these seven cases the full accomplishment of reorganization as recommended by the

Commission requires also extensive special legislative action. Either most of the seven plans must be regarded as simply preliminary steps, or must be absorbed, now or later, in full legislation if we are to effect the efficiencies and economies sought by the Commission.

SOME HOOVER COMMISSION RECOMMENDATIONS NOT INCORPORATED IN REORGANIZATION PLAN NO. 1

At least four different Hoover Commission reports deal, in whole or in part, with functions now carried on in the Federal Security Agency.

The report on Social Security, Education and Indian Affairs proposes the creation of a department to include functions of education and social security together with the Office of Indian Affairs, to be transferred from the Department of the Interior.

None of the first seven reorganization plans transfers the Office of Indian Affairs to the new department.

The report on Medical Activities recommends the transfer of the Public Health Service out of the Federal Security Agency and its incorporation in a proposed new hospital agency, the United Medical Administration.

As the Senator from Missouri [Mr. DONNELL] stated a few moments ago, there was a dissenting report on this matter within the commission itself. Messrs. Acheson, Rowe, and myself held that if this department were created, the public health activities which called for much more than medical and hospital services should be left within the Welfare Department, or whatever its name might be. This report on medical activities is not carried out in the first reorganization plan.

These and other reports recommend the transfer of the Food and Drug Administration, partly to the Department of Agriculture and partly to the United Medical Administration, and the transfer of the Bureau of Employment Security, the Bureau of Employees' Compensation and the Employees' Compensation Appeals Board to the Department of Labor.

Plan No. 2 carries out the proposal to transfer the Bureau of Employment Security; the other recommendations are not incorporated in these plans.

In other words, complete reorganization action for Federal Security Agency on the Hoover Commission recommendations involves a half dozen transfers out of or into that agency. These require further transfers for complete action on other affected agencies. In short, those who argue for multiple reorganization actions set up a chain reaction and progressively compound the opposition. This defeats all possibility of reorganization action.

REASONS WHY SOME HOOVER COMMISSION RECOMMENDATIONS ARE NOT CARRIED OUT IN REORGANIZATION PLAN NO. 1

Before the ultimate disposition of all the Government functions can be determined on an orderly and logical basis, it is necessary to establish the essential framework of the departmental structure. This is completed with the creation of the Department of Welfare, a step which does not preclude, but instead will



facilitate, any desirable transfer of functions into or out of such a Department.

Moreover, it is probable that it would require an act of Congress to provide for the complete and effective establishment of a United Medical Administration.

In reply to a question from Senator McCARTHY on the failure of plan No. 1 to transfer the Public Health Service to a proposed United Medical Administration, Mr. Hoover testified:

I do not think the President has ignored the recommendations of the Commission, because the whole problem of reorganization is so greatly interlocked. For instance, in order to carry out the Commission's recommendations, it is necessary to set up a United Medical Administration in the Government before the Public Health Service in the Federal Security Agency can be transferred. The creation of that agency, I am advised, will require specific legislation before the President could transfer agencies to it.

Mr. McCARTHY. Mr. President, I wonder whether the Senator will yield, on condition that I later yield him 5 minutes of my time?

Mr. AIKEN. Again I say, Mr. President, I should like to have the questions wait until the end, so my remarks may have some sequence when they are read in the RECORD.

Mr. McCARTHY. I am sorry.

Mr. AIKEN. A bill to establish a United Medical Administration was introduced by Senator THOMAS of Utah on June 7, 1949. This bill, S. 2008, is now before the Committee on Labor and Public Welfare, where it will receive careful consideration.

In view of the bill introduced by the Senator from Utah [Mr. THOMAS], the proposal for a United Medical Administration is now before the Committee on Labor and Public Welfare, as I have said. So far as I can see there has been no action whatever toward bringing it to the floor of the Senate for action. In my opinion it will be a long time before such a bill is enacted into law. In the meantime we should operate to the best of our ability under the machinery of Government we now have or can create without waiting for that law to be passed.

In view of these considerations, President Truman had either to submit plan No. 1 as he did, or to wait indefinitely for congressional action on medical activities. He is to be commended for pushing ahead to carry out as much of the Hoover Commission recommendations as he has in the plan.

This plan does not, as a great many persons have been led to believe, deal with medical insurance or national medical policy in any way.

Attacks on the plan as leading to the adoption of a program of prepared medical insurance or work are completely without foundation. The plan converts the Federal Security Agency into an integrated executive department, but it in no way adds to or detracts from its functions. The issue of adopting a compulsory prepaid medical insurance program is before Congress, and its adoption or rejection rests with Congress. No Administrator or Secretary can order such a program.

So long as the President is an advocate of medical insurance, his principal officials will support such a program. They will do so, irrespective of the title by which they are known.

This plan will, therefore, neither advance nor retard the development of public policy in the area of health insurance. The spokesmen of organized medicine have, therefore, raised a spurious issue. I make the statement that they have raised it, while, at the same time, I agree with them that compulsory health insurance would not be advisable.

Much has been said about the additional cost of the Department and of economies to be effected by Reorganization Plan No. 1. Neither the President nor the Hoover Commission attempted to specify the savings to be derived from the establishment of the Department of Welfare.

Plan No. 1 does not itself curtail functions, eliminate overlapping, or in any other way bring about automatic savings. I may as well say that now. Most organizations, including plan No. 1, produce economies by making possible future savings through improved programming and reductions in administrative costs. The plan will establish an integrated department whose head will have previously lacking authority to assure that programs are administered effectively and to curtail lost motion.

What can be done in this direction has already been demonstrated by the Federal Security Administrator, in spite of limitations upon his authority. The newly integrated regional offices of the Federal Security Agency will be operated during the 1950 fiscal year at a cost of 8.8 percent, or \$581,354, below that of the preceding fiscal year.

As the President pointed out in his message of transmittal, the benefits from improved service and better costs are expected to flow from the plan.

The advocacy of a Department of Public Welfare is nothing new. Its creation has been recommended many times during the past 30 years. These recommendations have been made by Presidents, Members of Congress, special commissions, and nongovernmental groups. Last year I introduced a bill, at the request of the State Association of Boards of Health, I think was the title of the organization, which was almost identical with Reorganization Plan No. 1 as now proposed by the President.

In 1923 President Harding, in a special message to Congress, proposed the establishment of a Welfare Department. A year later a similar recommendation was made by the Joint Committee on Reorganization.

In 1932 President Hoover recommended that the welfare functions of the Government be grouped in one of the then existing departments.

In 1937 the President's Committee on Administrative Management recommended a new Department of Welfare.

That same year the report of the Brookings Institution, made for the Senate Select Committee to Investigate Executive Agencies of the Government, known as the Byrd committee, proposed

the establishment of a Welfare Department.

As stated in the testimony of the Director of the Budget, Frank Pace, before the Senate Expenditures Committee, when he testified in support of this Reorganization Plan No. 1:

Altogether, out of eight comprehensive plans for the reorganization of the executive branch developed by responsible officials and agencies within the last 30 years, six have concentrated the functions as to education, health, and welfare in a single department—five of them in a new department devoted exclusively to these activities—and the other two plans have provided a new department in charge of the greater part of these functions.

It is a well-known fact that the reorganization plan that established the Federal Security Agency in 1939 would have created it a department had not such creation of executive departments been specifically forbidden by the Reorganization Act of 1939.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HUMPHREY. Mr. President, I yield to the Senator from Vermont whatever time may be necessary.

Mr. AIKEN. I thank the Senator from Minnesota.

The failure to give these functions their appropriate status at that time was unfortunate, and Reorganization Plan No. 1 will correct this earlier error.

Plan No. 1 is the first vital step—I say, vital step—in carrying out completely the recommendations of the Hoover Commission. Congress adopted the Reorganization Act because it realized that the customary legislative process is not suitable for the expeditious adoption of needed reorganization.

The act provided a cooperative procedure under which the President's power to initiate changes in the organization of the executive branch was increased while the power of Congress to prevent reorganization was preserved.

Plan No. 1 is the first test of the procedure under the 1949 legislation. As such, it is a critical test of the capacity of the President and Congress to work together in the effectuation of the recommendations of the Hoover Commission.

If this plan fails in the face of the Commission's recommendation, the endorsement of the President, and the tacit acceptance of the House, the Senate will alone be responsible for a major set-back in the attempt to bring order and efficiency into the executive branch.

If Plan No. 1, which would have been relatively noncontroversial had extraneous issues been prevented from confusing its purpose, is rejected, the prospect of success for any future plans for the execution of the Commission's more far-reaching recommendations will not be bright.

I wonder if the Senator from Minnesota will permit me to have five more minutes.

Mr. HUMPHREY. I shall be very happy to do so.

Mr. AIKEN. Mr. President, I should like to quote from a statement which one of our colleagues on the Hoover Commission, Representative BROWN, made in

the House last Thursday. Representative BROWN is generally known as friendly to the medical profession. Certainly he is about the last Member of the House who would do that profession any harm. I should like to quote his comment directly from the RECORD. This is what he said:

While perhaps the words have not been spoken, I seem to sense that some here have a question in their minds as to whether President Truman is going through with a thorough reorganization of the Federal Government, and whether he is actually going to do the things recommended by the Hoover Commission. I do not know. But I do know that he told the Commission that he was going to try to carry out its recommendations in substance. He did not pledge himself to do so in every detail, any more than the Congress had. I do know that he has sent messages to Congress, and that he has made many public statements, endorsing the work of the Commission. I do know that there is a great deal of pressure from back home, not only on the Congress but also on the President of the United States, to do something about getting a little efficiency and economy into the conduct of our public business. I do know that the only two living persons who ever served in the White House as President are both for this program. I do know that this Reorganization Plan No. 2 (and let me add here, Plan No. 1 also) was one of the recommendations of the Hoover Commission. I do know that about the only thing we can safely do, as far as this matter is concerned, is to take the President at his word.

I am still quoting from the speech by Representative CLARENCE BROWN:

If he does not keep his word, if he is not a man who keeps his promises, if he does not act in good faith, then I am going to tear the living hide off him in the next campaign. But first of all, I am going to give him a chance to make good on his promises. He is entitled to that. Then, if he does not do the right thing, I will criticize him from one end of this land to the other.

I want to say to any of you who may not think the President is sincere, or who may not believe that he is going through with most of the Commission's reorganization plans, that if you want to give him a beautiful opportunity to get out from under the responsibility of keeping his word, acting in good faith, and doing the things the American people want him to do in connection with the Hoover Commission report, then just vote for this resolution. If you adopt this resolution and reject this reorganization plan, then the President, if he is not sincere—and I do not question his sincerity—can immediately throw up his hands and say to the country, "Well, I tried to reorganize the Government and get a little economy and efficiency into the conduct of public business, but that terrible Congress up on Capitol Hill and the vicious business interests of the country would not let me. There is no use to try further."

Then it is the Congress and you who will take the heat, and not the President of the United States. In my opinion, it is just foolish, asinine, and silly to refuse to give him at least the opportunity to carry out the Hoover Commission recommendations and to go along with them in substance, as he has said he would do. If he fails to do so, then he is the one who will be responsible; but if we refuse to give him that opportunity, he will place the responsibility squarely on us.

We are squarely up against the issue: Do we want to take this first step to reorganize the Government? It is not the whole way, by any means. It is indeed just a step. It goes just a part of the way. Maybe the

President will go the rest of the way. Maybe he will not. I do not know. I am not responsible for him. But do we want to take this one step, along with him, and say, "We will go this far with you, Mr. President, and see what you will do about the rest of it. We will give you an opportunity to reorganize the Government, Mr. President. The responsibility is yours. We have given you the machinery to do the job and we have gone along with you thus far"? Or are you going to say right at the beginning, "No, Mr. President, we are going to turn down your Reorganization Plan No. 2 (all of this applies equally to plan No. 1), and if you do not want to do anything else about reorganization, you have a perfect excuse for not doing it"? I say to you, that is the question on which we all must vote.

Mr. President, that ends the remarks of Representative CLARENCE BROWN on the floor of the House of Representatives last Thursday. Mr. BROWN, Representative from Ohio, certainly is far from being radically minded, far from being hostile to the medical profession.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. AIKEN. Just 1 minute more. I wish to conclude by saying that Reorganization Plan No. 1 does not raise the issue of socialized medicine or compulsory health insurance. The issue is not whether Oscar Ewing is a good Administrator or ought to be eliminated from Government service. It is not a question of whether we will go along with the AMA. If Plan No. 1 shall be approved, the essential framework of Government as proposed by the Hoover Commission will have been established. If it is defeated, Oscar Ewing will continue as an Administrator in control of the very same functions of Government which are now under him.

Mr. McCLELLAN. Mr. President, I yield 10 minutes to the Senator from Wisconsin [Mr. McCARTHY].

Mr. McCARTHY. Mr. President, I should like to yield to the Senator from Vermont sufficient time to answer one or two questions, the answers to which I think may be of some benefit to the Senate in making its decision. I shall yield sufficient time to him to respond.

Last year the Senator from Vermont was chairman of the Committee on Expenditures in the Executive Departments, and did much good, intelligent work on S. 140.

Mr. AIKEN. I agree. [Laughter.]

Mr. McCARTHY. Finally the bill was reported unanimously, I believe. The major difference between S. 140, which has been reintroduced as S. 2060, and Reorganization Plan No. 1 is that S. 140 preserved a much greater amount of independence in the three departments, or three subdepartments, namely, health, welfare, and education.

Mr. AIKEN. Mr. President, it was not my impression that there was much difference. The bill as reported by the committee did what the Senator from Wisconsin says. I was referring to the bill which I introduced at the request of the State health organizations. The Senator is correct in saying that the bill as reported by the committee preserved a greater degree of independence on the part of education, health, and security.

Mr. McCARTHY. Under an Under Secretary.

Mr. AIKEN. Yes; the Senator is correct.

Mr. McCARTHY. Am I correct in stating that the Hoover Commission goes one step further than we went in Senate bill 140? The Hoover Commission not only says that the department shall have a greater amount of independence under the Secretary, but the Hoover Commission says we will make the United Medical Administration completely independent.

Mr. AIKEN. That is the recommendation of the majority of the Hoover Commission. As I have stated, three members of the Commission, Mr. Acheson, Mr. Rowe, and myself disagreed in part with that recommendation. We agreed that the hospital service should be better coordinated, but we disagreed to the extent of saying that the Public Health Service should be incorporated with the hospital and medical services.

Mr. McCARTHY. Am I correct in stating that if we want to follow the Hoover Commission recommendations we will come much nearer to doing so by taking S. 140, or what is now S. 2060, than taking Reorganization Plan No. 1?

Mr. AIKEN. No, I do not think so. I would not say we could draw a good comparison. The Hoover Commission recommends setting up this tenth department, with Cabinet status, under which the Health Services will be operated until such time as the Congress sees fit to create a separate, independent agency for them.

Mr. McCARTHY. Is the Senator aware of the fact—and I also call this to the attention of the junior Senator from Minnesota—that actually the creation of a medical administration incorporating the major functions relative to medical care, medical research, and public health, could better be established by a reorganization plan than by legislation? I offer as the authority for that the analysis by the Bureau of the Budget, which was made sometime during the spring of this year. I do not recall what month. On page 39 of the analysis are found on the left-hand side the various Hoover Commission recommendations, and on the right-hand side the method recommended by the Bureau of the Budget in putting these parts of the plan into operation. We find that the Bureau of the Budget lists, as the method of the effectuation of this operation, the reorganization plan. I call that to the attention of the Senator because the minority report says that "only the Congress can establish a medical administration." It does not give any authority for that. That legal conclusion has seemed to be completely negated by the analysis of the Bureau of the Budget.

Mr. AIKEN. I think the fact that the medical fraternity had had a bill introduced to do that very thing would indicate that they believe that legislation is necessary in order to set up the United Medical Administration. I am somewhat rusty on that point, but it is my recollection that there were several reasons which indicated that legislation would be necessary to create that administration. I am not familiar with the details. I have not studied that bill, because I



have felt that its adoption was some distance in the future.

Mr. McCARTHY. As I recall, when we were discussing S. 140, before we very substantially amended it and reported it unanimously, there was a good deal of argument to the effect that, instead of having the three departments grouped under one head, giving the head the unlimited power which Reorganization Plan No. 1 would give him, actually we decided there should be three separate departments, one dealing with welfare, one dealing with health, and one dealing with education. As I recall, the view was that we could not very well create three new Cabinet offices.

Mr. AIKEN. That is correct.

Mr. McCARTHY. What we tried to do in S. 140 was to preserve the autonomy, or the independence, of the head of the Medical Department, of the Welfare Department, and of the Education Department, and at the same time create only one new Cabinet office. So that S. 140 was a compromise, in effect, between Reorganization Plan No. 1, insofar as the Medical Department was concerned, and the Hoover Commission recommendation of a United Medical Administration. In other words, we went half way between Reorganization Plan No. 1, which gives the New Secretary unlimited power over the three agencies, and the recommendation of the Hoover Commission, which was that there should be complete independence on behalf of a United Medical Administration.

Mr. AIKEN. The Senator from Wisconsin is correct. Senate bill 140, reported by the committee, was a compromise bill between the bill which I introduced, which was almost identical with Reorganization Plan No. 1, and the other bill which was introduced, I believe, by the Senator from Ohio [Mr. TAFT] and the Senator from Arkansas [Mr. FULBRIGHT], which would not have gone far enough. I think the plan which the committee reported would probably have been workable, but inasmuch as it was a compromise, and objections were made to it from so many different quarters, as frequently happens in the case of a compromise bill, we were not able to secure its passage.

Mr. McCARTHY. If we should couple the report by the Bureau of the Budget and their suggestion that this particular recommendation of the Hoover Commission could be put into effect by a reorganization plan, with the statement made by Mr. Ewing, who apparently is going to head the new department, to the effect that he opposes the creation of a United Medical Administration, would the Senator agree with me that the combination of these two things indicates that this very important part of the Hoover Commission recommendation never will be put into effect if we adopt Reorganization Plan No. 1?

Mr. AIKEN. It is my opinion that if Reorganization Plan No. 1 should be adopted and the United Medical Administration should be created by the Congress, a bill establishing that Administration would probably be vetoed. It is also my opinion that if a United Medi-

cal Administration should be approved by the Congress, whether Reorganization Plan No. 1 is accepted or rejected, it would also be vetoed. That is simply an opinion on my part. I have not consulted with Mr. Ewing or with the President on that subject. But I do not think that would make any difference with respect to a bill passed by the Congress creating an independent medical agency. I have opposed the establishment of an independent medical agency because I have thought our objective was to reduce the number of agencies and to place the responsibility for Government into as few hands as possible, and then hold those in whose hands the responsibility was placed fully responsible for the work of the department. I have frequently thought that if the Congress exercised the power of impeachment oftener we would have better Government. But I realize that in view of the fact that Congress has complicated the departments so we cannot hold anyone responsible, it would be ill-advised to resort to the power of impeachment.

Mr. McCARTHY. I thank the Senator from Vermont very much.

The PRESIDING OFFICER. The Chair announces that 10 minutes allotted the Senator from Wisconsin has already expired.

Mr. McCLELLAN. Mr. President, I yield the Senator from Wisconsin 5 minutes more.

Mr. McCARTHY. Mr. President, in the first place I might say that I have very great respect for the Senator from Vermont. Last year he was the chairman of the Committee on Expenditures in the Executive Departments, of which I was a member, and I know how much time and effort he spent on Senate bill 140. I fear, however—and I call his attention especially to what I am now saying—that he may be drawing certain conclusions based upon erroneous assumptions. I should like to call his attention to some testimony on the part of Mr. Oscar Ewing in view of the statement made by the Senator from Vermont—I believe I am quoting him correctly—to the effect that Reorganization Plan No. 1 will not give the head of the department any more power than the Administrator now has. In connection with that I call attention to Mr. Ewing's testimony at page 118 of the record of the hearings:

If plan No. 1 is rejected, they will be there tomorrow, and I will be the Administrator. All on earth that this plan proposes is to change this existing organization to a department, and to give it an integrated type of organization as distinguished from the present holding-company type of organization which we now have. In other words, a great many of the statutory powers—

I shall stop at that point. Mr. Ewing, the Administrator, indicates that in his opinion he would receive no more power than he previously had. However, further in his testimony he said:

In other words, a great many of the statutory powers are vested directly in the bureau chief—in the Surgeon General, the Commissioner of Education, and the Social Security Administrator, and so on.

I think that is the important issue. That is, that as of today he does not have

anywhere near the power he would have if we adopt Reorganization Plan No. 1.

I read some questions and answers to bear that out:

The CHAIRMAN. If I may interrupt. Does that mean now that if this plan goes into effect all of those powers that are now by law vested in the heads of those divisions—the Education and Health Departments, and so on—would then be vested in you, as Secretary of Welfare?

Mr. EWING. That is true. You see these bureaus have a long history, long before the Federal Security Agency was ever created. They were independent bureaus and, consequently, the early legislation necessarily vested whatever powers or authorities were given directly in the heads of those bureaus and agencies.

We should make no mistake about this matter. I call the attention of the Senator from Vermont to the fact that adoption of the plan would result in a very radical change and would vest infinitely more power in the head of this new agency than he has as of today.

I read further from page 120 of the hearings:

Senator McCARTHY. Mr. Chairman, may I ask one question, please? Is it your thought that the three departments would be more autonomous under the legislation which this Commission had previously reported than they would be under the Presidential Plan No. 1? Do you understand my question, sir?

Mr. EWING. I think I do, Senator. If I do not answer it, you can correct me.

Here is the actual way the thing would work:

I call the attention of the Senate especially to this language:

Theoretically under the President's plan I suppose the Secretary of Welfare could do most anything he pleases.

Then Mr. Ewing goes on to explain that while this would give him unlimited power over health, education, and welfare, to the extent that he could do anything he pleases, actually he would use good judgment and not exercise that power.

In that connection, I will say that while I think much of the opposition to Reorganization Plan No. 1 is because Mr. Ewing is slated to head that organization, I personally would be wholeheartedly opposed to Reorganization Plan No. 1, no matter who was to head the organization. I do not believe health, education, and welfare are so interrelated that one man should have unlimited power over all three. I will, however, go a step further and say that while I think Senate bill 2060, which is identical with S. 140, provides a good plan for establishing a welfare agency—I introduced the bill and I favor it—I frankly would not be too happy to see such a thing take place if I thought Mr. Ewing was to head the agency.

The PRESIDING OFFICER. The Chair is sorry to announce that the Senator's time has expired.

Mr. McCARTHY. Mr. President, I ask the Senator from Arkansas if I may have another 3 or 4 minutes.

Mr. McCLELLAN. Mr. President, I yield three more minutes to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for three more minutes.

Mr. McCARTHY. Mr. President, going further on this all-important matter, I believe there is general misunderstanding, in view of the statement made by the Senator from Vermont, respecting this matter. I am afraid a number of Senators feel that all we are doing is, as Mr. Ewing began to say, until he changed his statement under examination—and I quote Mr. Ewing:

All on earth that this plan proposes is to change this existing organization to a department, and to give it an integrated type of organization.

Reading further from Mr. Ewing's testimony on this point:

Senator McCARTHY. May I interrupt there, please, to see if my understanding is correct?

Do I understand, then, that if the plan is adopted it will lodge in you considerably more power than you now have?

Mr. Ewing. That is correct, Senator McCARTHY. You see, on that there are two schools of thought—as to whether or not you should have the holding-company type of organization which we now have in the Federal Security Agency, or the integrated type of organization.

Senator Ives. Your holding-company type of organization, as I understand it, is somewhat limited. You do not have all of these particular functions that would be under you, under you now, would you, by the holding-company process?

Mr. Ewing. Quite so, Senator. All that I have now is supervision and direction.

In closing, let me say that I heartily agree with the general recommendation of the Hoover Commission, and that is that in a department there should be lodged as much power as possible in the head of the department. I think otherwise it is impossible to operate efficiently. However, I believe that when we have a situation such as this, in which the Commission has already recommended that one of the three functions proposed to be put into this Department should not be in that Department at all. Under that particular set of circumstances I think it would be a grave mistake to include in this Department one function which, according to the Hoover Commission, should never be in it, and then give unlimited power over such functions to the head of the Department.

I thank the Senator from Arkansas for giving me additional time.

Mr. McCLELLAN. Mr. President, I yield 20 minutes to my colleague from Arkansas [Mr. Fulbright].

Mr. McCARTHY. Mr. President, if I may impose on the Senator for 10 seconds, let me say that, while I introduced Senate bill 140 as a substitute for Senate bill 2060, I have no pride of authorship whatsoever. I do not claim to have drafted that bill. The bill was very carefully drafted last year by the committee, and reported. It is the Taft-Fulbright bill with amendments. I introduced that bill merely because I thought it was infinitely better than Reorganization Plan No. 1. I only took part in drafting it as a member of the committee.

Mr. Fulbright. Mr. President, that bill has a longer history than that.

It was originally introduced, I believe, in June or July 1946. We announced at that time that we were introducing it at the end of the session in order to give those interested an opportunity to study it. Long hearings were held in the spring of 1947. So it has had a very respectable history.

Mr. President, the debate already has quite thoroughly covered many of the principal points, so that what I shall undertake to do is to clarify some of them.

I am opposed to this plan because the administration did not follow either the recommendations of the Senate—and I would call Senate bill 140 a recommendation of the Senate, having received thorough consideration and approval by the committee, and having been reported to the Senate, on the one hand, or the Hoover Commission report, on the other. There were two alternatives, either of which I believe would have been satisfactory, and I think I could support either of them. I have stated that if the administration should choose to submit a plan in conformity with either of those recommendations I thought I might support it.

There is a more recent example of organization of a department similar to the organization provided in Senate bill 140, and that is the reorganization of the armed forces. I think the same idea was involved in Senate bill 140 as was adopted by the Congress in the reorganization of the armed forces. In other words, we sought to recognize the intergrity and interests of the three principal departments of the armed forces. Actually, those departments are much more alike and much more interrelated than are the three principal functions involved in this plan—namely, health, education, and welfare. So if the administration saw fit to approve and accept the reorganization of the armed forces on that basis I am unable to see why it is not willing to accept that basis in this connection.

Much reference has been made to Senate bill 140. I wish to read about a page from the report on that bill. This is from Senate Report No. 242, Eightieth Congress, first session, 1947:

The committee was of the opinion that there should be some definite administrative procedure outlined, as provided in S. 140, in order that proper recognition might be given to the various services to be included in the new Department, and specific provisions have been included in the bill as reported in an effort to eliminate possible discriminations against any of the several fields involved.

That, I think, is the key thought of the report, and of approval by the Senate committee.

Quoting further:

Another provision of that bill to which considerable importance was attached was section 3, which reads, in part, as follows:

"These objectives shall be carried out to the fullest possible extent through State and local agencies, public and voluntary, and in such manner as to preserve and protect to the highest possible degree the independence and autonomy of State and local agencies, public and voluntary, in education, health, security, and related fields."

The committee report had this to say of that particular language:

Section 3 of the act provides adequate safeguards to insure State autonomy of operation and control under local supervision and administration of the program in the public interest. This section was recommended and approved by a very large percentage of witnesses who appeared at the hearings.

No similar provision is included in Reorganization Plan No. 1.

It seems to me that there are two extremes to which the reorganization of these functions of the Federal Government could go.

On the one hand, as the various professional groups have advocated in the past, we could establish separate departments for each field, each with Cabinet representation. This is also the method adopted by most, if not all, States. There are quite logical arguments for this viewpoint. Each group may feel that its function may be confused with another; for example, that association with welfare activities would give education the connotation of charity and social service. Each group may feel that otherwise it will be subordinated to the will and domination of an administration not fully cognizant of the problems of their own field.

There is no question that that thought concerns a great many of those who are in opposition to this plan.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. Fulbright. I yield.

Mr. McCARTHY. Am I correct in stating that the Hoover Commission recommendation, so far as the Department of Health is concerned, parallels very closely the original Taft-Fulbright bill? Senate bill 140, which is the Taft-Fulbright bill amended, then drops down, we will say, half way between the Hoover Commission recommendation and Reorganization Plan No. 1. In other words, Reorganization Plan No. 1 takes an extreme. The Taft-Fulbright bill, which is, I believe, largely the same as the Hoover Commission recommendation so far as the Department of Health is concerned, takes more or less the other extreme, and Senate bill 140, as amended, went about half way down the line.

Mr. Fulbright. I think that is a fair description of it.

Mr. McCARTHY. I merely wish to make it clear that the original Taft-Fulbright bill is, in my opinion, almost identical with the Hoover Commission recommendation so far as the Department of Health is concerned. There are certain other respects in which it did not come too close to the Hoover Commission recommendation.

Mr. Fulbright. The Hoover Commission definitely recommends a separate United Medical Administration. That was, of course, urged by the medical profession at the time we held hearings on that bill. But we felt that it was not practical or feasible to set up separate administrations at that time, as a practical matter of getting something done.

Mr. Thye. Mr. President, will the Senator yield?

Mr. Fulbright. In a moment.



So we sought to take the middle ground, and to give autonomy within the Department to those three fields.

I now yield to the Senator from Minnesota.

Mr. THYE. I should like to ask the Senator a question. Does he believe that we could ever bring about a reorganization and establish the medical division as an independent agency within the Federal Government if we ever were to carry through Reorganization Plan No. 1, as proposed by the President?

Mr. FULBRIGHT. No; I do not believe so, for very practical reasons. Theoretically it is possible. The Senator from Minnesota [Mr. HUMPHREY] stated, of course, that that is what we could look forward to; but as a practical matter I do not believe we could do it, for this very obvious reason: Express disapproval of such a plan by the proposed head of the new agency, Mr. Ewing, and the President would make it, I think, virtually impossible, at least for the foreseeable future, to achieve that end, even if we attempted to do it.

It is no secret, for example, that the program in the Senate is primarily determined by the executive branch of the Government, not by the Senate. Certainly the power of veto, when coupled with that, would be quite sufficient, certainly so long as the present administration is in power. So I do not think it would be at all feasible to attempt to separate the medical service later on.

Mr. THYE. Mr. President, will the Senator yield again?

Mr. FULBRIGHT. I yield.

Mr. THYE. Were it possible for me to offer an amendment to Reorganization Plan No. 1, I should like to see it amended so as to make it mandatory that a medical professional man would be the director of the new agency created by the reorganization plan. The only reason I would propose such an amendment would be because I know very well that such a reorganization plan could be amended at a later time so as to set up the medical division by itself, and also knowing that then it would not be confronted with a Presidential veto.

But if we were to adopt Reorganization Plan No. 1 as submitted, then if we ever attempted, later on, to take the medical division out of the new department, we first would be confronted with the propaganda, "You must not do this because it is contrary to the Hoover Commission's Reorganization Plan No. 1." So that effort would have a strike against it from the very first.

In the second place, with the great propaganda machine that could be set up within that division, it would be utterly impossible to convince the public that we were not trying to "de-organize" what would be classed as Hoover Reorganization Plan No. 1.

For that reason, I find myself positively of the conviction that I must vote against Reorganization Plan No. 1 in order to safeguard our future action against a possible Presidential veto when we try to take the medical division from under this new agency and set it up under a separate agency, as the Hoover Commission absolutely and specifically

states should be done. That is my conviction, and that is the state of thought I have carried for some time.

I have followed the arguments for the reorganization plan very closely. I know that if we were to carry through Reorganization Plan No. 1 and were to permit it to go into effect, the medical division would remain under that new agency for all time to come, because if the new division is given Cabinet status, it never would be possible for the Congress to override a Presidential veto with which the Congress would be confronted if it attempted to place the medical division in another agency.

Mr. FULBRIGHT. Mr. President, I agree with the Senator from Minnesota. That is one of the principal reasons why I am in opposition to this plan.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield for a question.

Mr. ELLENDER. Does the Senator from Arkansas agree with the statement made a few minutes ago by the distinguished Senator from Wisconsin [Mr. MCCARTHY], namely, that Reorganization Plan No. 1 gives unlimited power to the Secretary?

Mr. FULBRIGHT. To do as he pleases with all the functions which now are under the Federal Security Agency.

Mr. ELLENDER. The reorganization plan—

Mr. FULBRIGHT. I have the plan here. The language is very simple. Section 2 is about all there is to it.

Mr. ELLENDER. But the plan does not abolish the laws under which the Public Health Service and other services are now being administered; does it?

Mr. FULBRIGHT. Section 2 (b) of the plan reads:

All of the functions of the Department of Welfare and of all officers and constituent units thereof, including all the functions of the Federal Security Administrator, are hereby consolidated in the Secretary of Welfare.

As I read that language, it enables him to do anything he wishes to do with the arrangements or the personnel or the administration. I can see no limit to what he could do with those functions.

Mr. ELLENDER. But certainly he could not go beyond the law, under which those services are created.

Mr. FULBRIGHT. After this reorganization plan, as I understand it, goes into effect, it will be the law. Then will it not take precedence over some other law?

Mr. ELLENDER. I cannot agree with that view. The plan does not abolish the laws under which the Public Health Service, the Office of Education and the Social Security Administration are created. All functions and services therein created are retained and—

Mr. FULBRIGHT. Then what will it do?

Mr. ELLENDER. It simply creates a Department of Welfare as an executive department and places under it all the duties and functions now handled and supervised by the Federal Security Agency.

It will do exactly what the Senator attempted to do under Senate bill 140, in-

troduced by him and others during the Eightieth Congress.

Mr. FULBRIGHT. Then it will put into the hands of the Secretary all the powers which now reside in the hands of anyone else within that agency.

Mr. ELLENDER. Let me suggest by way of a question what I have in mind; is it not a fact that under Senate bill 140, "the Under Secretary for Health shall perform such duties concerning health as may be prescribed by the Secretary or required by law"?

Mr. FULBRIGHT. In the bill we undertake to give to each of the three principal departments certain responsibilities which would be required by law, and which the Secretary could not set aside.

Mr. ELLENDER. But the requirement referred to here is already written into the bill. It provides, as I have just stated that the Under Secretaries created shall perform such duties concerning their respective departments as may be prescribed by the Secretary.

Mr. FULBRIGHT. I do not follow the Senator from Louisiana on that point.

Mr. ELLENDER. It is plain to me that under his bill, Senate 140, the Under Secretaries therein created shall perform such duties as may be prescribed by the Secretary. Under the bill, what does the Senator mean when he uses the words "required by law"?

Mr. FULBRIGHT. For instance, we first had a provision that a professional man should be at the head of each division. That provision was later deleted. But that was an example of what we meant when we said the Secretary should not simply put anyone in the position of undersecretary in charge of health, and that he could not take some particular activity out of the Division of Health and make it a part of the Division of Welfare.

Mr. ELLENDER. But the Senator's revised bill did not abolish the existing laws creating the services under discussion. As I understand Senate bill 140, it sought to create three under secretariats, one for health, one for education, and another for public welfare.

Mr. FULBRIGHT. It is quite similar to what we have done in the case of the armed services, and for the same reasons.

Mr. ELLENDER. And those three Under Secretaries were to be under a Secretary.

Mr. FULBRIGHT. That is correct.

Mr. ELLENDER. The Secretary was to be a Cabinet officer.

Mr. FULBRIGHT. That is correct.

Mr. ELLENDER. In creating each of these Under Secretaries, the bill states:

The Under Secretary for Health shall perform such duties concerning health as may be prescribed by the Secretary.

The Under Secretary for Education shall perform such duties concerning education as may be prescribed by the Secretary.

The Under Secretary for Public Welfare shall perform such duties concerning social security and public welfare as may be prescribed by the Secretary.

What then is the difference between that plan and the reorganization plan under discussion?

Mr. FULBRIGHT. Of course the Senator from Louisiana does not read the

entire bill. It is obvious that for house-keeping purposes, and so forth, within the Department there would be regulations.

The Senator knows that I am limited in time, and that he will have an opportunity to speak later on. I cannot spend all my time going over that bill.

I yield now to the Senator from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. FULBRIGHT. I hope the Senator will be very brief.

Mr. HUNT. I assume that the distinguished Senator from Arkansas will be given whatever additional time he may need.

Mr. President, addressing myself directly to the question asked by the Senator from Louisiana, let me call attention to the fact that Reorganization Plan No. 1 in subsection (c) reads as follows:

The Secretary of Welfare is authorized to delegate to any officer or employee or to any bureau or other organizational unit of the Department designated by him such of his functions as he deems appropriate.

In other words, as he wishes.

I read now from the existing law with reference to the Surgeon General. We find in it the language that—

The Surgeon General is authorized and directed to assign to the Office of the Surgeon General, to the National Institute of Health, to the Bureau of Medical Services, and to the Bureau of State Services, respectively, the several functions—

Mr. ELLENDER. The several functions created under that law.

Mr. HUNT. Yes; the several functions of the service.

I understand the specification of subsection (c) to give to the new Secretary of the Department all the authority and functions the Surgeon General now has. I do not see how anything else can be read into it or out of it.

Mr. ELLENDER. The point I was trying to reach, if the Senator will yield further—

Mr. FULBRIGHT. Mr. President, I yield for half a minute; I have only 3 minutes left.

Mr. ELLENDER. The point I have in mind is that the functions described by the distinguished Senator from Wyoming, and performed by the various heads, are the same functions as those which will be performed by the Cabinet officer. The law is not changed in the least. The Secretary created under this plan cannot have and will not exercise greater powers than those now created by the laws under which those services are granted. I fear more or less bogus issues have been created.

The PRESIDING OFFICER. The Chair is informed that an additional 10 minutes has been yielded to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I decline to yield further at this time.

I wish to read one sentence from the hearings on Reorganization Plans 1 and 2. These were the words of the Mr. Ewing, when requested to give his view on this point:

Here is the actual way the thing would work. Theoretically, under the President's

plans, I suppose the Secretary of Welfare could do almost anything he pleases.

If that is his interpretation, and inasmuch as he is sponsoring the proposed reorganization, I do not know that there is much room to question what would happen under this reorganization plan.

Mr. President, I wish to tie down a little more specifically certain points which have been made, so that there will be no question regarding what the Hoover Commission report said.

I refer to the task force report on Federal medical services, the supplement to appendix O. It is only two pages long. I shall read one paragraph. This is the recommendation of the task force, dated February 8:

The agency should be headed by a professional career director general. Under the new plan, he should report directly to the President, and should, in the nonmilitary Federal medical organization, be the highest ranking physician in the Government.

The supreme medical importance of the position of the Director General should command, irrespective of all other considerations, the ablest medical and health administrator whose services can be obtained by the Government.

For these reasons, the committee views the present proposal for an independent organization as a significant improvement over the previously submitted plan.

That refers to the previous paragraph, directly proposing the creation of the United Medical Service organization. It had this to say, in the body of the report:

It remains to consider whether such an alternative would be preferable. This question has been fully considered by our committee, and we have reached the conclusion that such an independent organization would be preferable to placing this function in a larger department, as the Commission originally proposed.

In other words, they very positively recommend the independent United Medical Administration.

In the Commission report itself of March 1949, entitled "Medical Activities," we find:

#### RECOMMENDATION NO. 1

To accomplish these purposes, the Commission recommends the establishment of a United Medical Administration into which would be consolidated most of the large-scale activities of the Federal Government in the fields of medical care, medical research, and public health (in which we include preventive medicine).

I am completely unable to follow the reasoning of the Senator from Minnesota when he says that plan No. 1 follows the Hoover Commission report. It simply does no such thing. To confirm that, let us take the other report, entitled "Social Security, Education, Indian Affairs." This is the report of the Commission, and not of the task force. At page 6, we find:

#### RECOMMENDATION NO. 1

We therefore recommend that a new department to administer the functions set forth in this report be created and headed by a Cabinet officer.

The report does not mention the medical service at all. It mentions social security, education, and Indian affairs.

It seems to me that possibly some of the proponents of this plan must have

misread the report or concluded without having read it that health was included in the body of the report. But it is specifically excluded. The report includes only the three—social security, education, and Indian affairs.

I wish to call the attention of Senators to the original task force report on public welfare, made in January. It is too lengthy to read much of it. I wish only to call attention particularly to the first part of the report. It is a very lengthy document, which was prepared for the Commission by the Brookings Institution. I desire to quote one or two passages from it to give, I think, some feeling of what the attitude of that basic document was. Beginning on page 4, running into page 5, I quote:

1. The four major functions: Health, education, employment, and social security and relief, although interrelated, are essentially independent. The leadership and the fundamental work in each is professional, technical, or scientific. Each is the domain of a distinct profession, although in comparison with medicine, education, and social work, the knowledge and techniques of personnel or employment management (including wage administration and union relations as well as hiring and firing) have achieved only embryonic professional recognition.

Then, later, on page 5:

4. Since at the State level these functions are separate in legislation and administration, it appears that for many years to come, the National Government under a Federal system will have to legislate separately for each of the several functions if it continues to use conditional grants or offset taxes to raise the level of performance with respect to them. It seems extremely dubious that a single multifunctional department at the Federal level could have a single unified program. The departmental program would have to consist of separate programs for health, education, employment, and social security and relief. Both Congress and the State legislatures will presumably have to continue to legislate separately for the several functions.

And then, on page 6:

When the President has to consider substantive issues it would seem entirely possible that he might get more help from several heads of smaller departments than from the head of one big one because one could scarcely master the details in a reasonable period.

That thought runs throughout the introduction, which discusses policy. I quote one other paragraph:

The interests of the Government demand that the heads of the bureaus in health, education, employment, and relief and social security shall be leaders in their respective professions. To be successful they must have a substantial professional following.

On page 7:

In our judgment it cannot be guaranteed that grouping all these agencies under a single department head would result with certainty in effective coordination.

That is the thought all through the report. Again:

For successful Federal-State cooperation a high degree of continuity in Federal administration is essential. One way of insuring such continuity is to reduce administrative discretion at the Federal level to a minimum.

To a greater degree than any other civilian department of the National Government this one will affect the lives of individuals. It



will be providing, directly or indirectly, free public services, distributing social insurance benefits, and giving relief. The political potentialities are obviously great, especially since this Department has no necessary responsibility for raising the funds to pay for the services and the benefits. As already noted, the agencies in the Department have affiliates in the State and local governments that reach to practically every settlement. An intensely partisan, politically minded secretary would have in his hands what might be made a powerful political implement. It may, however, be assumed that the Congress will be aware of this fact and will limit the discretionary authority of the secretary, and possibly continue to vest a considerable measure of the discretionary power in the bureau chiefs.

Those are not my own words. Those are the words of the task force report of January. It is the principal task force document, and those last words express exactly what Senate bill 140 tried to do, and did do, in my opinion. It says further:

It may, however, be assumed that the Congress will be aware of this fact and will limit the discretionary authority of the Secretary, and possibly continue to vest a considerable measure of the discretionary power in the bureau chiefs.

I quote from page 11:

In a unifunctional department it is not unusual for the essential powers to be vested in the head of the department. He may have authority to delegate power to subordinates, to determine internal organization, and to select and remove bureau chiefs. Responsibility and authority may be centered in him. Is such centralization of power desirable in the multifunctional Federal Security Agency?

The entire argument and discussion in this report on public welfare are absolutely and persuasively against Reorganization Plan No. 1.

The PRESIDING OFFICER. The Senator from Arkansas has 1 minute remaining.

Mr. FULBRIGHT. Mr. President, there are several other points to which I wish to refer. One is the reference to the letter sent by the administration with regard to plan No. 1, which seems to me to be responsible for some of the confusion which has arisen in the minds of some Members of the Senate. I quote from the President's letter of August 12, and I am reading from the CONGRESSIONAL RECORD in which it is printed:

This commission, composed of outstanding citizens from both political parties, has made a comprehensive report containing its recommendations. Two of its important recommendations are included in Reorganization Plans No. 1 and No. 2.

To my mind, that is simply a misstatement, because plan No. 1 does not include a very important recommendation of the Commission.

Again, on the same page, the President says:

The important changes which would be effected by these two plans were unanimously recommended by the Hoover Commission.

I think that is a misleading statement. I know, from discussing it with some of the Members of the Senate, that it has brought about a misconception. The fact is that only three members of the Hoover Commission did recommend essentially all of plan No. 1, but the other

nine members recommended to the contrary. To say that this was a unanimous recommendation of the Hoover Commission, as I see it, is quite wrong.

The PRESIDING OFFICER. The Senator has been granted five additional minutes.

Mr. FULBRIGHT. Then the President says this:

Nor will acceptance of the plan in any way prevent later action along the lines they desire.

We have already discussed that point. I do not agree with it.

Then the President says:

Every special-interest group concerned with the operation of the Government will be encouraged to try to block further steps toward efficiency and economy.

That kind of a statement, the bringing in of a special-interest group, is unjustified, unless we call Congress a special-interest group, because the committee has very specifically recommended Senate bill 140. I do not consider that a special-interest group is involved simply because there is a difference of opinion. The idea that every time any opposition comes forward it is a special-interest group seems to me to create an emotional atmosphere with regard to a matter which we should be able to consider objectively on its merits.

Mr. McCLELLAN. Mr. President, will my colleague yield to me?

Mr. FULBRIGHT. I yield.

Mr. McCLELLAN. Does the Senator know of any agency of the executive branch of the Government which is not a special-interest group when it comes to getting appropriations or more favorable legislation or more power?

Does not such an agency become a special interest?

Mr. FULBRIGHT. I think it is a very evident fact that in the past 20 years the greatest special interest in this country has been the executive branch of the Government. When we consider the enormous growth and the power which goes with the ability to raise by taxes \$40,000,000,000 and the ability to spend it, and the influence which necessarily grows from such ability, there is no longer any special interest in this country which can effectively oppose the executive branch of the Government. I do not mean that statement to be taken personally. When one looks over the world and sees what has happened in other nations in the past 20 years, or if we go back to ancient history, it has always been the executive who has usurped and, in time, eliminated the power of any legislative body. I do not want it to be asserted that I have abused the President or any member of the executive branch as having any deep-laid design. I think it is the inevitable tendency of all executives, including our own, to seek more power. The genius of our Government has been the division of power into three branches. I should like to slow up the process in the executive branch, and I would not want to lend my influence to speeding up the influence or power of the executive branch of the Government.

Mr. McCLELLAN. Has it not almost become a common thing with depart-

ments and agencies under the executive branch of the Government that every time any group of citizens, organized in any sort of an association, undertakes to oppose legislation desired by some department of the Government, that group is charged with being a special-interest group? That applies to farmers, housewives, doctors, lawyers, businessmen, or anyone else. I do not know of anyone who undertakes to oppose legislation that some administrative department wants enacted who is not charged with being a member of a special interest.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McCLELLAN. Mr. President, I yield my colleague five more minutes.

Mr. FULBRIGHT. Mr. President, I should like to have 2 or 3 minutes in which to mention one or two other points.

I believe, as I have said, there has been a misconception with regard to the President's message to Congress. Also, as I recall, the Senator from Minnesota [Mr. HUMPHREY] used a quotation in his remarks, and attributed the language to the committee. Actually those were not the words of the committee which were being quoted; they were the words of the Bureau of the Budget which the committee report had quoted. It is true that the language which was read came from the committee's report, but the language was that of the Bureau of the Budget, which the committee was simply putting in for the information of the Senate. There was no approval of it. I think that is true as evidenced by the following action of the committee. Quite obviously, it is a contradiction to have voted 7 to 3 against plan No. 1, and to have approved the language which the Senator from Minnesota has quoted. I think that should clear up what was apparently a contradiction in the position of the committee.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. FULBRIGHT. Very briefly.

Mr. HUMPHREY. I wonder whether the Senator from Arkansas feels that the telegram which was received from the distinguished former President, wherein he said he supported plan No. 1, is in any way a contradiction of what has been stated.

Mr. FULBRIGHT. I was coming to that in my next point. I wanted to mention his statement to the committee, in which he said:

I am advised that special legislation will be required—

And so forth. Since that time we know his advice was erroneous. The best authorities available indicate that there is no justification for that advice. Theoretically, I think it would be possible to do as Mr. Hoover recommended, but practically, I do not think there is the slightest chance, if plan No. 1 is adopted, that there will ever be any dismemberment of this enormous and powerful agency by way of establishing an independent medical administration.

Mr. HUMPHREY. Mr. President, will the Senator again yield?

Mr. McCLELLAN. Mr. President, will the Senator yield to me?

Mr. FULBRIGHT. I yield to my colleague.

Mr. McCLELLAN. I ask the Senator to read the last sentence in Mr. Hoover's message in which he points out that although he is supporting plan No. 1, it is imperative that the remainder of the recommendations be carried out, which the Senator says he doubts can, from a practical standpoint, be carried out if this plan be adopted.

Mr. FULBRIGHT. Mr. Hoover says in his telegram:

I likewise supported plan No. 1 and outlined that the further imperative steps recommended by the Commission are the separation of all health and labor agencies from the new department and reorganization of budgeting, accounting, and personnel methods.

I think it is obvious, that you cannot take this step, and then some time later separate these functions.

I may say for the benefit of the Senator from Minnesota that much pressure has been brought to bear on me regarding this matter, and I stated that if we were able to offer an amendment to the plan to make it conform to the Hoover Commission recommendations, I would go along with it. The Senator well knows that we have no choice in this matter, and once this step is taken there is no going back. It would be very simple, I am sure, knowing the persuasive powers of the Senator from Minnesota, to induce the administration to bring in a plan in conformity with the Hoover Commission recommendations, which he has said, I think, he approves and wants to have adopted.

The PRESIDING OFFICER. The time of the Senator from Arkansas has expired.

Mr. HUMPHREY. Mr. President, will the Senator yield for one more question?

Mr. FULBRIGHT. I yield for one more question.

Mr. HUMPHREY. I was quite generous in the early part of my remarks in yielding for interrogations from the opposition to my point of view. I wondered how we were to interpret this telegram, wherein former President Hoover said—and I repeat his statement:

In brief I supported the President's seven plans as first steps on the long road of reorganization which only can be carried out by further Executive and congressional action if the recommendations of the Commission are to be fulfilled. I likewise supported plan No. 1—

Mr. FULBRIGHT. Go ahead; finish the sentence.

Mr. HUMPHREY. Oh, yes—  
and outlined that the further imperative steps recommended by the Commission are the separation of all health and labor agencies from the new department and reorganization of budgeting, accounting, and personnel methods.

Mr. FULBRIGHT. That is the whole point.

Mr. HUMPHREY. Is it not true that the former President has said, in reference to the issue which is now before the Senate, "I support plan No. 1"? A little later, if we wish to do something else, perhaps he will support that, but we are not talking about eternity, we are

talking about today; we are not talking about the future, but about the present. The immediate issue is plan No. 1.

Mr. FULBRIGHT. If the former President were here, faced with the necessity of making a decision which we are compelled to make, I think he would vote as I am going to vote, namely, against the plan, and wait, until next January and the submission of a plan which may be satisfactory.

Knowing something of the Senator's background, in a way, I am quite surprised at his having so little regard for the medical profession outstanding as it has been in its service throughout the year, and efficient as it is today. The only real criticism I could make of the profession is that there are not enough physicians. In quality, they are much the best in the world today, in my opinion, and the criticism that there are not enough of them, to a large extent goes to the educational institutions, and the lack of money. In my State the attempt to keep alive one of the few medical colleges in the South has almost broken us. Several of our neighbor States do not have such schools, and that has brought large pressure and expense on us. To me the basic difficulty with the medical profession is that there is not a sufficient number of adequate high-class medical schools. I was a little surprised at the Senator's not being more sympathetic, and not desiring to improve, let alone tear down, the medical profession.

Mr. HUMPHREY. The junior Senator from Minnesota has the greatest admiration for the medical profession in the practice of medicine. I acknowledge its great standing in the healing art. I believe it is the greatest profession in the world, and I want nothing to jeopardize it. It is quite important that we try to keep the medical aspects of the healing art apart from the political aspects of the healing art. Somehow or other East and West have mixed together in this proposition. So the difficulty is not over medicine, it is over reorganization.

Mr. FULBRIGHT. The Senator knows that in England there is some mixture of politics and medicine.

Mr. HUMPHREY. The Senator from Minnesota does not want to have in the United States the British medicine setup.

Mr. THYE. Will the Senator from Arkansas yield?

Mr. FULBRIGHT. I had better stop. The junior Senator from Minnesota emphasized the point I would bring out. He said there must be some compelling reason for Plan No. 1, and I am unable to find it. It seems to me quite obvious the burden of proof is upon the moving parties in this instance. I think they have completely failed. When we examine the recommendations of the Congress in the past and of the Hoover Commission, neither of which supports this plan, I am quite unable to see how the burden of proof on the moving parties, in this instance the administration, has been fulfilled.

Mr. HUMPHREY. One further question, a very brief question.

Mr. FULBRIGHT. I yield, if I have the time.

Mr. HUMPHREY. I was somewhat intrigued by the apparent feeling on the part of the Senator from Arkansas that the former President did not realize some of the difficulties there might be in getting legislation through the Congress. I was wondering whether the Senator from Arkansas was trying to tell the Senate that former President Hoover had no understanding of the legislative process, and how difficult it might be to get legislation.

Mr. FULBRIGHT. I think he has many admirable qualities, but anyone who remembers what went on in 1931 and 1932 will agree that his one great failing was that he was unable to get Congress to do things, some of which should have been done, during the 2 years interregnum when the opposite party was in control of the Congress, and he was completely stalemated. I think it is reasonable to believe that he does not realize the difficulties in Congress. One has to be here quite a while to understand it.

Mr. HUMPHREY. I can understand that. I infer, then, that the former President has not learned anything about the legislative process.

Mr. FULBRIGHT. I do not believe he was thinking about that particular aspect. He was trying to look at the matter objectively, and I do not think that subject was particularly in his mind.

Mr. McCLELLAN. Mr. President, I yield 10 minutes to the Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan is recognized for 10 minutes.

Mr. FERGUSON. Mr. President, I take it that in the Senate, as well as throughout the country, there is overwhelming support for the objectives of the Commission on Organization of the Executive Departments. There are many of us, I know, who have pledged ourselves to a faithful pursuit of its recommendations because we recognize that its purposes can be accomplished only if its plan is taken as a whole.

The question with which many Senators are now wrestling is whether or not one's action on Reorganization Plan No. 1 will compromise his support of the Commission's purposes and recommendations.

On June 21, the day after Reorganization Plan No. 1 was submitted to Congress, I addressed the Senate and attempted to analyze it, together with the six other plans which had come before us. My general conclusion with respect to them was that they represented shortcomings rather than deviations from the Commission blueprint, and I expressed my disappointment that a more vigorous attack upon the reorganization problem had not been reflected in them.

At that time I suggested hearings on the various plans, so that their deficiencies might be explored and evaluated. The governing question in those hearings became one of whether or not the shortcomings were so vital as to defeat the Commission's purposes. I have been forced to a conclusion that the shortcomings in plan No. 1 are so vital that its adoption would be inconsistent with the objectives of the Hoover blueprint.



The creation of a new executive department with cabinet status, for certain of the welfare functions of the Government, is not a novel idea and it was supported by the Hoover Commission.

The important contribution of the Commission in studying this matter, however, was a recommendation that in the creation of the new department there be a separation from it of all health and labor agencies.

The reasoning behind that recommendation was clear. It was not desirable that there should be a confusion and possible subordination of functions in giving paramount consideration to the elevation of education and social security functions.

The Commission's recommended designation for the new department, as a Department of Education and Social Security, clearly reflects its purposes.

The present plan does not make the separation of functions which was called for by the Commission. It has become evident that the separations called for, notably in the field of health administration, will be most vigorously resisted.

Because that separation is at the heart of the Commission's recommendations the plan cannot be considered consistent with those recommendations.

It has been submitted, of course, that separation can be made later. But there is no way in which we can now approve the plan contingent upon the separation being made. We must accept or reject the plan as a whole.

Due consideration should nevertheless be given to the contingent possibilities. I think a realistic appraisal of the situation proves that contingency is a remote possibility.

Since, as it has been pointed out, the separation can be accomplished by executive authority, we might have expected that it would have been encompassed in plan No. 1. It was not. Therefore I believe it is fair to say that it will not be accomplished under a reorganization plan.

If it were the President's intention later to direct the separation we could have expected some indication of that fact from him for our guidance at the present time. We have had no such indication. In fact I think the letter which the President addressed to the Vice President and which was read to the Senate, indicates to the contrary. The conclusion must be that the President does not favor the separation of functions contemplated in the Hoover Commission reports.

That conclusion seriously affects the other possibility for accomplishing separation by legislative action. If the President disapproves of the separation in which we believe—in which at least the Senator from Michigan believes—legislation calling for it is subject to his veto and his veto will require a two-thirds vote in both Houses to overcome it.

If by our rejection of Reorganization Plan No. 1 the purposes of the Hoover Commission are in any way retarded Members of the Senate need not let their responsibility weigh heavily upon them. The fact is that in this instance the pur-

poses of the Commission, insofar as the establishment of the new executive department is concerned, are the victims of the President's piecemeal approach to the problem.

I submit that a vote to disapprove Reorganization Plan No. 1 is merely an insistence that the Hoover Commission recommendations be followed faithfully.

To that end a vote against Reorganization Plan No. 1 cannot compromise one's support for the Commission but will be an emphatic recording of one's support for it.

Mr. HUMPHREY. Mr. President, I yield 5 minutes to the Senator from Tennessee [Mr. KEFAUVER].

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 5 minutes.

Mr. KEFAUVER. Mr. President, during the day I have listened very closely to the debate, the pros and cons of this issue as to whether this, the first program of reorganization pursuant to the Hoover recommendations, shall be accepted or rejected and killed by the United States Senate.

Mr. President, we have for a number of years had a great demand in this country that there be a successful reorganization of the executive branch of our Government in the interest of economy and efficiency. The overburdened taxpayers have demanded, and rightly so, that we secure more economy and avoid overlapping and duplication in our governmental structure. The investigations which were conducted very patriotically by former President Mr. Herbert Hoover and a distinguished group of Americans who were well versed with the structure and function of the Government and its various departments, upon which they made their recommendations after a long and tedious task, have brought before Congress and the American people the most complete and comprehensive plan for the reorganization of the departments of our Government that we have ever had.

These reorganization plans represent in my opinion a real hope of saving some money to the taxpayers by way of elimination of duplicating functions, and seeing to it that our departments are streamlined and organized so they can function well. These reorganization plans are our only opportunities of economy unless we drastically abolish agencies and cut down on their functions.

It has been stated in the hearings, and I have not found anything to contradict it, that Reorganization Plan No. 1 would save \$581,000 this year, and that next year it would save three-quarters of a million dollars to the Government. As I understand, the savings would come about by reason of having a consolidation of the records, of having a stenographic pool, and by doing away with the overlapping of personnel and functions which we have in the various departments which are actually now under the Federal Security Agency. I fear, Mr. President, that if the proposed reorganization goes by the board it is going to set the pattern, so that the other reor-

ganization plans prepared as the result of the Hoover recommendations are going to lose out. This plan is recommended by Mr. Hoover in every respect except as to the name of the department. He ought to know whether it is worth while, and I have never heard of Mr. Hoover advocating socialized medicine.

Mr. President, if the issue involved were socialized medicine, if I thought the reorganization plan were going to lead to socialized medicine, that it would cause socialized medicine to come to this country or would have any tendency to do so, I would oppose it, and unequivocally so, because I have the highest respect for the medical profession of the Nation and for the great progress that profession has made. I would not favor any step which I thought might be in the direction of socialized medicine. I cannot see that the plan has anything whatsoever to do with socialized medicine.

I saw a chart a few minutes ago, to which I should like to refer. The Office of Public Health Service is now under the Federal Security Administrator. It would be under the Department of Welfare if the new reorganization plan were adopted. The only difference would be that some of the duplication of records and of functions would be eliminated, so that money could be saved, and so that we might have a better Public Health Service. I have joined Representative PRIEST, of Tennessee, and the Senator from Alabama [Mr. HILL], and other Members of the Senate in working for an expanded and a better Public Health Service in the belief that by doing so we might carry some additional service to persons who need it and who do not have funds to pay a private physician, particularly in the field in which the Public Health Service operates. I think a better public-health program would be a deterrent to anything that might lead to socialized medicine. So, Mr. President, it does not make any difference whether the plan is adopted or not; the Public Health Service will be in the same place it is now, and will operate in the same field in which it is now operating.

Mr. President, I take it that if John Jones, whom nobody knew, were thought to be the one who would be appointed Administrator of the Department of Welfare, the opposition to the reorganization plan would vanish. In the first place, no one knows that Oscar Ewing is going to be the Administrator of the new department. No one knows that the President will nominate him. In the second place, it is a matter for the United States Senate to decide, if he is nominated, whether or not he will be confirmed.

In the third place, so long as the President of the United States is insisting upon some national health program, it is unlikely to assume that the President of the United States is going to put in charge of that program someone who is opposed to his policies and principles.

This would be true regardless of whether this department is established or whether a department such as the one recommended by the Senator from Arkansas [Mr. FULRIGHT] is set up.

It has been thought that an eminent doctor should be placed in charge of a program of this kind, if there is to be a health department. I know of many physicians who would be very capable in such a position, but I think the attention of the Senate should be called to the fact that the chairman of the Committee for the Nation's Health, which has been the principal organization supporting the national health-insurance program, is a prominent physician, twice president of the Massachusetts Medical Society, and that he was for the program which has been proposed by President Truman and which I have always opposed. So if a physician were selected he would unfortunately probably be one who supports the pending health-insurance plan.

It seems to me that, all in all, the report of the individual views of the Senator from Maine [Mrs. SMITH] in expressing her individual opinion summarizes this question about as well as any brief statement I have seen. I wish to read into the RECORD a portion of what the Senator from Maine said:

I would summarize my conclusions less eloquently and more briefly by observing that (1) the plan follows the Hoover Commission recommendations as far as it goes; (2) the issue is not socialized medicine as some would have us believe—were this true I would oppose the plan because I am opposed to socialized medicine; (3) the issue is not one of personalities but rather one of principle—the plan itself is more important than Mr. Oscar Ewing or any other individual; and (4) perfection and unanimous agreement will never be obtained at the outset on any plan of reorganization—but lack of perfection and unanimity should not be permitted to prevent a start on improvement and this plan is definitely a start on improvement.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KEFAUVER. Mr. President, may I have 2 minutes more?

Mr. HUMPHREY. Mr. President, in view of the shortage of time, I yield 1 additional minute to the Senator from Tennessee.

Mr. KEFAUVER. Mr. President, this matter is bigger than any one individual. It is a matter of efficiency and economy. I know of several department heads whom I do not like. Selfishly, I would not want to see them given any greater power. But, after all, we cannot refuse to appropriate for the departments merely because we do not like the heads of certain departments. We cannot afford not to give them sufficient tools to do their job merely because we do not like them. I think the great issue is whether we are going to follow generally the reorganization program proposed by former President Hoover and his Commission, and try to get more economy and efficiency in our Federal Government.

I greatly fear that if we reject this program, they will all be rejected. I do not believe that this plan has any connection whatsoever with socialized medicine. That is a program which can only be adopted by the Congress of the United States. It can be embarked upon only if the Congress agrees to it. That program has now been defeated, and for the

time being, at least, the President admits it.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KEFAUVER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks two paragraphs from a very able statement by Representative CLARENCE BROWN of Ohio in support of Reorganization Plan No. 1. We know that Congressman BROWN, Senators HOEY, LODGE, ELLENDER, and others would not support it, if it were derogatory of the welfare of the medical profession.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

I want to say to any of you who may not think the President is sincere, or who may not believe that he is going through with most of the Commission's reorganization plans, that if you want to give him a beautiful opportunity to get out from under the responsibility of keeping his word, acting in good faith, and doing the things the American people want him to do in connection with the Hoover Commission report, then just vote for this resolution, Harry Truman is not dumb politically, and if you vote for this resolution, if you adopt this resolution and reject this reorganization plan, then the President, if he is not sincere—and I do not question his sincerity—can immediately throw up his hands and say to the country, "Well, I tried to reorganize the Government and get a little economy and efficiency into the conduct of public business, but that terrible Congress up on Capitol Hill and the vicious business interests of the country would not let me. There is no use to try further."

Then it is the Congress and you who will take the heat, and not the President of the United States. In my opinion it is just foolish, asinine, and silly to refuse to give him at least the opportunity to carry out the Hoover Commission recommendations and to go along with them in substance as he has said he would do. If he fails to do so, then he is the one who will be responsible; but if we refuse to give him that opportunity he will place the responsibility squarely on us, and on some of our business friends back home who, I am afraid, have not been quite as wise as they have been active. I am growing a little tired of hearing a lot of talk and receiving a lot of letters saying, "We want the Congress to do something about this terrible waste and extravagance. We want some economy in Government." Then, when we try to do something about it the very same folks too often come right back and say, "Yes, let us have economy, but not in the activity we are interested in. Let us get it somewhere else, but do not interfere with what we want."

Mr. HUMPHREY. Mr. President, I yield 5 minutes to the distinguished Senator from Florida [Mr. PEPPER].

Mr. PEPPER. Mr. President, the President of the United States, in Reorganization Plan No. 1, has proposed to make the Federal Security Agency into a Department of Welfare. The plan has already been approved by the House of Representatives. The controversy is now whether the activities dealing with health should be included in the Department of Welfare, or whether they should be set aside in some specially created and constituted health agency.

In the report of the majority, filed by the Senator from Arkansas [Mr. Mc-

CLELLAN] on behalf of the Committee on Expenditures in the Executive Departments, the following appears:

Establishment of a Department of Welfare was first recommended by President Harding in 1923. President Hoover recommended establishment of a Department of Welfare in 1932, as did President Roosevelt's Committee on Administrative Management in 1937. President Truman recommended the creation of a department in 1946, and again in 1947 and 1948.

The Federal Security Agency was established by Reorganization Plan No. 1 under the Reorganization Act of 1939. As expressed in President Roosevelt's message to the Congress, the FSA included "those agencies of the Government, the major purposes of which are to promote the social and economic security, educational opportunity and the health of the Nation."

So I call attention to the fact that President Roosevelt, under reorganization authority provided by the Congress, grouped together the same three agencies, security, education, and health. In other words, President Truman has simply followed the grouping of agencies which President Roosevelt followed under the Reorganization Act of 1939.

Let us see what some of our colleagues have proposed. I read again from the report submitted by the Senator from Arkansas:

Reorganization Plan No. 2 of 1946 transferred additional activities related to welfare to FSA.

The Senate Committee on Expenditures in the Executive Departments in 1947 reported favorably S. 140 (Senators FULBRIGHT and TAFT), which would have established a Department of Health, Education, and Security.

In other words, not only has President Truman grouped the agencies of Security, Health, and Education together into the Federal Security Agency, but two of the distinguished Senators who somehow find themselves opposed to Reorganization Plan No. 1 themselves proposed to group together the three agencies of Security, Health, and Education in the plan which they proposed under Senate bill 140. The major difference is a minor one. In their bill, S. 140, they provided an Under Secretary for each of the three agencies, while in Reorganization Plan No. 1 three Assistant Secretaries and an Under Secretary are provided.

The House of Representatives has approved Reorganization Plan No. 1. This is the first reorganization plan proposed by the President under the authority of the Congress to come before the Senate for its action.

The people of the country are generally in favor of the Hoover proposals for increased efficiency in our Government. I am not one of those who advocate what I believe to be false economy, namely, the cutting out of functions which are valuable in the public interest. Everyone is in favor of every possible bit of efficiency and of the elimination of overlapping and duplication in the executive agencies of the Government of the United States.

Mr. President, it is not the health provision that is on trial. It is the Senate that is on trial before the country.



Shall the headlines of tomorrow carry the message that the United States Senate repudiates the first effort to save money by efficiency and the proper grouping of agencies under a responsible head, or shall we show the country by our favorable action that we propose to go ahead with the effort to make the executive branch of the Government the most effective agency possible?

Mr. PEPPER subsequently said: Mr. President, I ask unanimous consent that there be printed immediately concluding my remarks some material which I did not have time to finish.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. President, as some of the Senators are aware, this debate was opened yesterday afternoon by the distinguished Senator from Ohio, quite unexpectedly. As you know, and as all of us have known for the past week, the debate was scheduled for today. But the Senator from Ohio opened it yesterday instead, all by himself, with no opposition, but with occasional supporting questions and comments by the distinguished Senator from Arkansas. Both, as you know, are sponsors of the resolution we are debating now, a resolution to kill the first reorganization plan submitted by the President to carry out the Hoover Commission recommendations.

Many of you, no doubt, have seen the reports of the Senator's speech in the newspapers, and perhaps there is no need for me to review it for you. However, having read the report of it in the RECORD this morning, and having admired the impressive newspaper accounts of it, I have concluded that it was a speech of such importance that I should call it especially to your attention. I should hate to think that any Senator interested in this important problem would miss an address of such significance simply because it was delivered without advance notice.

The Senator offered what seemed to me a rather curious explanation as to why he felt compelled to rush into the arena yesterday and speak at a time when there was no opposition, although ample time already had been scheduled for debate today, with both sides represented. He felt called upon, it appears, to rebuke the President of the United States for writing a letter to the Vice President of the United States, expressing the hope that the Senate would allow the first two reorganization plans in pursuance of the Hoover Commission recommendations to become law.

By this act, he said, the President was attempting to intervene in the legislative process. Mr. President, methinks the distinguished Senator from Ohio doth protest too much. While the present incumbent of the White House does enjoy the privileges of the Senate, being a former Member of this body, I am not aware that his privileges include the right to vote. Therefore, he cannot intervene in that way. As for the danger that an expression of opinion by the President might prove irresistibly persuasive, either to the Senator from Ohio or to the Senate as a whole—that, Mr. President, is less a danger than a remote and distant hope to be cherished by those of us who agree with his philosophy.

But there is another possibility, and I wonder if this is not what was so disturbing to the Senator from Ohio. In this particular case—and I wish it were true more frequently—the President put into words what actually was the opinion of most of the Members of the Senate, as well as of the vast majority of the American people. Certainly as far as the voters are concerned, there is no doubt whatever that support for these reorganization plans is widespread, very strong, and extremely persistent. And un-

doubtedly the President's letter, which was printed by the newspapers, struck a high responsive chord among the people who send us here to represent them.

How did the senior Senator from Ohio respond, in his lonely but widely publicized colloquy with the junior Senator from Arkansas? His remarks deserve careful attention, it seems to me, for two principal reasons:

First, because the Senator from Ohio is not only an extremely able man, but because he apparently has assumed the position of foremost spokesman against Reorganization Plan No. 1, which we now have under consideration; and

Second, because the speech he delivered here yesterday revealed, in clear and concise detail, all of the contradictions, the illogic, the insupportable weakness of the whole argument for the veto resolution which we are asked to approve. It proved, better than I can do, the case that has been made by the President, the only living ex-President, and by every witness who testified in committee except for the spokesmen for organized medicine and the sponsors of the veto resolution.

Let us review the distinguished gentleman's speech, point by point.

Categorically and without reservation, he asserts that Reorganization Plan No. 1 "flies in the face of the recommendations" of the Hoover Commission.

I have great admiration for Senator TAFT's accomplishments, but I submit that Mr. Herbert Hoover is a better authority as to whether any reorganization plan is in conformity with the Hoover Commission recommendations. He testified in committee that Reorganization Plan No. 1, and all the other six plans, were "in substantial accord" with those recommendations, and he urged that all of them be allowed to become law.

Now, Mr. Hoover was well aware that Plan No. 1 does not carry out all of the Commission's recommendations affecting the Federal Security Agency, which is the sole ground on which the Senator's unqualified denunciation rests. Both men are in full possession of the same facts. Yet Senator TAFT suggests a sinister explanation for them: By failing to set up an independent hospital and public health agency as recommended by the Commission, and by failing to transfer the Public Health Service to it, he asserts, as if there were no question about it, that Plan No. 1 actually will "make impossible for years to come the carrying out of the Commission's recommendations."

Mr. Hoover, on the other hand—and after all, he was the Chairman of the Hoover Commission—not only sees nothing sinister, but carefully explains that, according to the best judgment of the Hoover Commission's own lawyers, the President has no authority to establish the United Medical Administration. All of this, Mr. President, is in the published hearings of the Committee on Expenditures in the Executive Departments. Mr. Hoover testified at length there on June 30, 1949. If you will read his testimony, you will see that he took great pains to explain this point and make it clear, restating and repeating it time after time in answer to questions by committee members. It is all summarized in the minority report filed by the junior Senator from Minnesota and concurred in by the junior Senator from Maine. I believe every Senator has a copy of that minority report. You will find several exact quotations from Mr. Hoover's testimony beginning at the middle of page 4 and down to the middle of page 5. As you will see, he made it quite clear that the proposed United Medical Administration could be established only by the Congress, by specific legislation.

But the Senator from Ohio will accept the opinion of no one, apparently, but that of the Senator from Ohio. Completely undaunted, he brushes the chairman of the Hoover Commission aside and passes his own

judgment. "That," he said of Mr. Hoover's testimony, "is absolutely untrue."

Then Mr. President, the senior Senator from Ohio reveals a curious and unwonted lack of information on which to base such unswerving opinions in the face of such weighty authority. I must admit that it baffles me, knowing the Senator as I do and knowing the well-deserved reputation he has for precise and accurate information on all subjects. But this is what he says, and it is a very curious remark under the circumstances:

"If the Federal Security Agency can be made a department without any special reference in the reorganization act, then certainly the Public Health Service can be made a separate medical administration to which other functions can be transferred. I think that many Senators did not realize that a new department could be created under the Reorganization Act \* \* \*. But if that power was given, certainly the power was given to take the Public Health Service out and set up a separate medical administration."

Now, that statement comprises two major and incomprehensible errors.

First, it is evident that the Senator did not familiarize himself with the legislative history of the reorganization act, did not read the report which accompanied it from the Committee on Expenditures in the Executive Departments, did not hear the explanation of it which was given on the floor of the Senate by the senior Senator from Arkansas, and did not read, or remember, any of the numerous accounts of it in the press at the time. Otherwise, he would have known that the Senate committee deliberately changed the original reorganization bill, S. 526, so as to eliminate the prohibition against the creation of executive departments by the reorganization plan. Had he investigated, he also would have learned that the President not only did not ask that this be done, but was not at first in favor of it. He would have learned, too, that the Senate conferees prevailed on this point in conference, and that the clear understanding on the part of everyone concerned was that the Senate committee intended that the President should use this means for converting the Federal Security Agency into a Department of Welfare. And he would have learned that on the basis of this understanding, debate already scheduled in the other House on a bill to create such a department was canceled. Finally, he would hardly have made the wholly unfair inference, as he did in his speech yesterday, that the President was somehow "pulling a fast one" on the Senate of the United States. I feel confident of this, for the distinguished Senator, I am sure, would never knowingly employ a false suggestion in order to discredit legislation he opposes.

The second major error also can be explained by a lack of research. The Senator is a very busy man. However, had he read the Hoover Commission report on medical activities, the task-force report on the same subject, and the supplement to the task-force report, he would have spared himself the embarrassment of several errors. It is conceivable, in fact, that he would not have become a sponsor of this veto resolution if he had first looked into all of the facts.

The suggestion that the only step necessary to carry out this recommendation of the Hoover Commission is to establish the Public Health Service as an independent medical administration and transfer other functions to it cannot have been derived from any part of the Hoover Commission reports. The Hoover Commission came to two different conclusions on this subject, neither of which bears the slightest resemblance to the proposal mentioned by Senator TAFT. The Public Health Service is involved in both, to be sure, but the resemblance ends there.

As those who have read the Hoover Commission reports are aware, the Commission at first decided to recommend the establishment of a Department of Welfare almost precisely like the department to be established by Reorganization Plan No. 1, except that the health functions would include not only the present Public Health Service, but almost all of the veterans' and armed forces' hospitals and virtually all the other Government medical activities. The task force made its report, based on this decision, in November 1948, and it was published in January 1949. Then the Commission became embroiled in the whirlpool of medical politics, and finally changed its decision. In conformity with this change of direction, the task force filed a supplementary report, which was published in March. This merely lifted the entire medical function, as arranged in the first report, out of the proposed Department of Welfare and into a proposed United Medical Administration.

According to the lawyers who studied the problem, however, and with whom the Senator from Ohio so confidently disagrees, neither of these proposals could be carried out by the reorganization plan. The reason they give is that the various commissioned and noncommissioned medical corps of the armed forces, the Veterans' Administration, and the Public Health Service could not be organized into a single, united service without entirely new legislation. Each is set up today under separate statutory provisions, with different salary scales, different recruitment systems, different promotion and rating systems, and many other divergencies, all spelled out in law. Yet in chapter XI of the main task-force report, dealing with personnel policies, the very first point to be stressed is that the organization of a single career service is requisite to the project. This could not be organized by executive action, but only on the basis of new legislation.

This, Mr. President, is what Mr. Hoover was talking about when he said it would be impossible for the President to establish the United Medical Administration by reorganization plan. Obviously, he cannot transfer the Public Health Service to that agency until it exists. This is what Mr. Hoover meant when he said—and I will quote him: "It is no criticism of the President's plan to point out that those bureaus cannot be transferred at the present moment."

For my part, I am willing to take Mr. Hoover's word about that.

But my friend, the distinguished Senator from Ohio, is still not satisfied. He has read a letter from the Federal Security Administrator, Mr. Oscar Ewing, to the chairman of the Committee on Expenditures in the Executive Departments, written in answer to the chairman's inquiry, in which he expresses his opposition to the United Medical Administration proposal.

It should be made clear at this point that Mr. Ewing is only one of many who oppose this recommendation, which was the compromise result of a profound disagreement within the Hoover Commission itself. Certainly, he has a perfect right to express an honest opinion, and I can see no justification whatsoever for the attacks that have been made upon Mr. Ewing solely because he made no attempt to evade this issue. Evasion would have been to his advantage. He might have avoided, thereby, some of these unfair, unfounded, and often vicious assaults. Personally, I wish we had more public servants who valued integrity above personal advantage.

I repeat, Mr. President, Mr. Ewing made no effort to evade this issue. He wrote to the chairman of the Senate committee and said he was opposed to the United Medical Administration proposal. He explained why in detail, and I believe that every Member of the Senate would agree that he was right, if they would only read that letter. In any

case, they would agree that he has an honest and valid point.

But what is the position, on this same issue, of those who ask us to kill Reorganization Plan No. 1, and who glory in attacking Ewing? The American Medical Association claims to be for the United Medical Administration. The American Dental Association claims to be for it. So does almost everyone else who urges us to vote today for this veto resolution.

But, Mr. President, a bill to create the United Medical Administration was introduced by the Senator from Utah, and has been resting in the Labor and Public Welfare Committee for a long while. It was written by the Hoover Commission lawyers specifically to carry out this recommendation. But has the American Medical Association gone to the Committee on Labor and Public Welfare and asked for hearings on that bill? No. They have not lifted one finger to support the proposal they claim to favor. Nor has the American Dental Association or anybody else.

The fact is that nobody likes the United Medical Administration, but only Oscar Ewing and the veterans' organizations have been forthright enough to say so, and to explain why.

The Senator from Ohio, however, would have us believe that the United Medical Administration is doomed simply because Mr. Ewing is opposed to it. He says so specifically. Then he quotes from Mr. Ewing's straightforward letter and finally tells us: "Obviously, therefore, no plan is ever going to be submitted setting up any separate medical administration." That, of course, is impossible, as I have explained. But Senator Taft goes on, and tell us that even Congress will not be able to do it. And why? Because, the Senator says, "It will be vetoed if we have once voted affirmatively respecting plan No. 1 and Ewing has become a Secretary in the Cabinet of the President."

With all respect, Mr. President, and with no intention of questioning the distinguished Senator's motives, I must point out that the entire purport of this argument is false. The impression is given—very carefully and deliberately, I should say, if I did not know the Senator so well—that unless we reject Reorganization Plan No. 1, we shall have lost our power to legislate in matters of health. This is both false and preposterous.

Nevertheless, this seems to be the gist of the Senator's argument.

The impression is given that the United Medical Administration would be doomed, that not even the Congress would have the power to save it, if Reorganization Plan No. 1 becomes law. Why? Because this plan would in some mysterious way make Oscar Ewing tremendously powerful. It is made to appear that the United Medical Administration is approved by everyone but Mr. Ewing, and that he would crush it with this strange and mighty power for purely sinister reasons of his own. The same suggestions, the same dark implications, ran through all the testimony against Reorganization Plan No. 1 in committee.

Yet not one of these witnesses who profess such fondness for the United Medical Administration will lift a finger to help it along. And every one of them knows perfectly well that Oscar Ewing has nothing, and can have nothing, to do with killing it. They know that it doesn't stand a chance, because all of the veterans' organizations are firmly opposed to it, and most of the services involved are veterans' services. It is as simple as that. There is nothing sinister, nothing mysterious about it.

But the attack against Ewing goes on.

After reading his speech in the RECORD this morning, I could hardly escape the conclusion that my friend, Senator Taft, who is normally so meticulous as to facts, had somehow allowed himself to be made the victim of the American Medical Association's

propagandists. At least, much of this speech has a very familiar ring. For instance, there is the same old accusation of "dictatorship" and the same well-worn allegation that the former Surgeon General and Commissioner of Education were driven out of the Federal Security Agency by Ewing oppression. They "resigned," Senator Taft says, "largely because no independence was left to them in their proper function."

The Senator from Ohio can only have been misinformed, for I am sure he would not deliberately repeat such well-known falsehoods. The former Surgeon General, Dr. Parran, did not resign at all. He was not reappointed because he had already served three 4-year terms, and the commissioned officers of the Public Health Service resented such a long tenure at the top. It amounted to a cork in the bottle of promotions. Surely the Senator from Ohio can understand how they felt about that. I seem to recall that the Senator himself was fairly critical when another prominent public figure ran for a fourth term not so long ago.

As for Dr. Studebaker, the former Commissioner of Education, a Senate committee went into that case with a fine-toothed comb, as committees did so readily during the last Congress whenever a real or imagined opportunity arose to harass the administration. And in spite of the fact that Dr. Studebaker and Mr. Ewing were at opposite poles politically, that Republican-controlled committee ended its hearing in complete sympathy with Mr. Ewing. It thought so little of Studebaker's charges that it did not even file a report. Incidentally, Studebaker himself publicly explained his resignation as due to financial difficulties.

So much for the lesser inaccuracies and false impressions.

All of these, Mr. President, seem to me to be parts of the same general structure of misinformation and misrepresentation which has been built up jointly by those who hate the President's health proposals, those who dislike Mr. Ewing for political reasons, and those who will seize any stick to beat the broad social-welfare programs which have been established during the last 16 years.

The Senator from Ohio adds the superstructure on this jerry-built edifice of confusion and discord with his warning cry, which would be merely amusing if it came from a less imposing figure, that Reorganization Plan No. 1 would make Mr. Ewing a dictator in the fields of health, education, and security.

Mr. President, this is perfectly absurd. Does the Senator from Ohio suggest that Reorganization Plan No. 1 will dissolve the Senate and House of Representatives? Is the Senate abdicating its authority? Will not the Senate review whatever appointment the President may propose, and confirm or reject the nominee? And will the Secretary of Welfare not be subject to the same laws and the same regulations and answerable to the same President, Congress, and people as the Secretaries of all the other Cabinet departments?

Is it the purpose of the Senator to frighten us by using such words as "dictator"? I think the Senate of the United States is not the place for that.

On the other hand, if the Senator wishes to debate the merits of Reorganization Plan No. 1 as against the merits of the bill he and the Senator from Arkansas proposed in the Eightieth Congress, as he seemed to suggest he would like to do, that is another matter. That question will be dealt with by my colleagues in due course. They will show that the plan the Senator from Ohio cherishes in preference to this one is in direct violation of all of the basic principles of executive management which were laid down by the Hoover Commission and upon which the Commission based all of its hopes for greater efficiency and economy in Government.



Mr. President, I plead with the Senator from Ohio, and with all other Senators, today to lift this debate to the same high level of nonpartisan, objective dedication to the public good which characterized the work of the Hoover Commission itself. Only in this way can we reach a decision which will be acceptable to the American people.

Mr. HUMPHREY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Chair is sorry, but the time of the Senator from Florida has expired.

Mr. McCLELLAN. Mr. President, I yield 5 minutes to the Senator from Nevada [Mr. MALONE].

#### REORGANIZATION PLAN NO. 1

Mr. MALONE. Mr. President, in the first place, a review of the proposed consolidation of departments under Reorganization Plan No. 1 shows that it is not really a consolidation; in the second place it is not a consolidation for economy; and in the third place it does not conform to the recommendations of the Hoover Commission. It is apparent from the plan itself that what it does is to throw these departments together in a haphazard manner, which could cost even more than the departments as they are now operating. In other words, it is not in fact a reorganization in accordance with the recommendations of the majority of the Hoover Commission.

It is with great regret that I oppose Reorganization Plan No. 1, or in fact any of the plans, because the act setting up the Commission on Organization of the Executive Branch of the Government was sponsored in the Eightieth Congress by my own party, and I am sincerely for economy, wherever we think efficiency will be improved or expense reduced, or both.

In throwing these organizations together haphazardly, the educational department is submerged and made to lose stature in the new organization.

Mr. President, in this connection I submit for the RECORD a group of telegrams from my State. I ask unanimous consent to have the telegrams printed at this point in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

CARSON CITY, NEV., August 12, 1949.

HON. GEORGE W. MALONE,  
United States Senator,  
Senate Office Building,  
Washington, D. C.:

Urge your strenuous opposition to Reorganization Plan No. 1 unless United States Commissioner of Education given greater recognition as administrative official and not placed under domination of an Assistant Secretary. School leaders throughout Nation desire establishment of National Board of Education in accordance with S. 656. Untenable to degrade one of the most important functions of Government, education, by passage of Reorganization Plan No. 1.

Regards,

MILDRED BRAY,  
State Superintendent of Public Instruction.

AUGUST 13, 1949.

MILDRED BRAY,  
Superintendent of Public Instruction,  
Carson City, Nev.:

Reurtel opposing Reorganization Plan No. 1, there seems little chance that any liberal-

ization of the plan could be effected as you suggest. Had not decided definitely relative to Reorganization Plan No. 1 which will be voted on Tuesday. If necessary to oppose the recommendations of the Commission on Organization of the Executive Branch of the Government, it would be with great regret, since we created the Commission in 1947 with great hopes of thinning out and simplifying the complicated mass of Government boards, bureaus, committees, and commission with which Government is infested. We also hoped for some taxpayer relief. Do the educators of our State generally feel as you do about Reorganization Plan No. 1? Is it feasible for you to contact some of them by wire and either have them wire me direct or let me hear from you again with their reaction to the plan? Am leaning heavily on superintendents of schools throughout the State for advice in such matters, since I have known many of them since university days and feel their experience and considered judgment should prevail in such matters.

Regards,

GEORGE W. MALONE,  
United States Senator.

STATE OF NEVADA,  
DEPARTMENT OF EDUCATION,  
Carson City, August 12, 1949.

HON. GEORGE W. MALONE,  
United States Senator,  
Senate Office Building,  
Washington, D. C.

DEAR GEORGE: Strongly as I believe in many features of the Hoover reorganization plan, I am definitely opposed to Reorganization Plan No. 1 as it is now written, which places the United States Office of Education in a subservient position.

Frankly, GEORGE, education is too important to have the United States Commissioner of Education under an Assistant Secretary. Educators all over the country believe that the United States Commissioner of Education should have a place on the President's Cabinet, and that education, being the most important function of government and the foundation upon which our system of government certainly rests, should be strengthened instead of weakened through congressional action.

I trust that you will give the telegram I sent you earlier today, copy of which is enclosed, your very serious consideration. I hope that you will discuss it, if you have any doubts about the attitude of educators on this subject, with Dr. Edgar Fuller, executive secretary of the National Council of Chief State School Officers. His office is in the National Education Association Building, 1201 Sixteenth Street NW., Washington, D. C.

I am hoping that I shall see you at the Elko State Fair next month.

Cordially yours,

MILDRED BRAY,  
State Superintendent of Public Instruction.

WINNEMUCCA, NEV., August 1, 1949.

Senator GEORGE W. MALONE,  
Senate Office Building,  
Washington, D. C.:

Respectfully request you consider my opposition to Truman Reorganization Plan No. 1 giving Cabinet status to Federal Security Agency. For past 12 years have been actively interested in State of Nevada Legislature in medical legislation.

A. V. TALLMAN.

DEETH, NEV., August 3, 1949.

HON. GEORGE W. MALONE,  
Senate Office Building,  
Washington, D. C.:

Urge your participation in, or, if need be, become the prime mover of Senate Initiative to prevent the raising of Oscar Ewing to Cabinet status. If such rise in status is consummated by default, you will have contrib-

uted substantially to bring in closer the welfare state. Why not be honest with the people and strive to protect their guaranteed liberty by reducing taxes and making genuine reduction in cost of Government through application of the Hoover Commission recommendations rather than selling them a mess of pottage.

WM. B. WRIGHT.

EUREKA, NEV., July 13, 1949.

HON. GEORGE MALONE,  
United States Senate,  
Washington, D. C.:

Eureka's Lions Club at last regular meeting July 7 cast motion unanimously urging your support to oppose socialized medicine and free trade on metals. The latter especially is unjust to miners industry of the country if the restored tariff would help bring back producers now shut down.

GILBERT BEGO,  
President, Eureka Lions Club.

AUGUST 9, 1949.

GILBERT BEGO,  
President, Eureka Lions Club,  
Eureka, Nev.:

Re your telegram July 13, oppose Reorganization Plan No. 1 as it is presently constituted and will watch. Also oppose free trade on metals. Letter follows.

GEORGE W. MALONE,  
United States Senate.

AUGUST 10, 1949.

Mr. GILBERT BEGO,  
President, Eureka Lions Club,  
Eureka, Nev.

DEAR MR. BEGO: This is with further reference to your telegram dated July 13 concerning socialized medicine and free tariffs on metals.

As per my telegram to you yesterday, you will note that I am opposed to socialized medicine, and to the Reorganization Plan No. 1 as it is presently constituted.

In connection with the tariff question, I am enclosing herewith reprint from the CONGRESSIONAL RECORD of May 27 and 31 of this year, which contains the flexible import fee bill which I introduced, and discussion in the Senate on this subject. I feel that this would save our mining industry, and would appreciate your reviewing this material, and giving me your critical comments on it.

Sincerely,

GEORGE W. MALONE.

RENO, NEV., August 2, 1949.

HON. GEORGE W. MALONE,  
Senate Office Building,  
Washington, D. C.:

At a special board of directors meeting of the Reno Lions Club held today the club went on record as being against Reorganization Plan No. 1 and any other measures leading to government by edict rather than by legislative measures.

RENO LIONS CLUB,  
GEO. F. HAMILTON,  
Secretary.

RENO, NEV., August 2, 1949.

HON. GEORGE MALONE,  
Senate Office Building,  
Washington, D. C.:

As an individual I am heartily in accord with action taken today by Reno Lions Club, reference Reorganization Plan No. 1.

JAMES POLLARD.

RENO, NEV., July 19, 1949.

Senator GEORGE W. MALONE,  
Senate Office Building,  
Washington, D. C.:

After careful and exhaustive study of Reorganization Plan No. 1 of 1949 we are agreed

to oppose this measure with every democratic weapon at our command. Inevitably this plan would pave the way to final destruction of free enterprise in American medicine and surgery. Oscar Ewing and his aides in whom we have no trust at all would be law, take over the entire American health program. Why ignore the Hoover Commission report if reorganization is of national interest at this time.

R. E. WYMAN, M. D.,  
President, Nevada State  
Medical Association.

NEVADA STATE MEDICAL ASSOCIATION,  
Reno, Nev., August 6, 1949.  
Senator GEORGE W. MALONE,  
Senate Office Building,  
Washington, D. C.

DEAR SENATOR MALONE: I have had a letter from Vinton (Muller) telling me that he talked with you about Reorganization Plan No. 1. The Nevada State Medical Association is grateful to you for your stand against this dictatorial and socialistic step.

We are told that the Fulbright Resolution (S. R. 147) will likely come to vote during the week of August 8. We all hope that you will be able to be there to vote for it. The socializers in both parties will be tireless in their efforts to get plan No. 1 adopted.

Again thanking you for your interest and cooperation, I am

Sincerely yours,

ROLAND STAHR.

August 11, 1949.

Dr. ROLAND STAHR, Secretary,  
Nevada State Medical Association,  
Reno, Nevada.

DEAR DR. STAHR: I have your note of August 6, and I intend to support Senate Resolution 147. I have already talked with BILL FULBRIGHT about it. I do not like the Reorganization Plan No. 1 as presently constituted.

I am enclosing copy of an article appearing in the August issue of the American magazine, and would like your reaction to it.

Sincerely,

GEORGE W. MALONE.

RENO, NEVADA, August 2, 1949.

Hon. G. W. MALONE,  
United States Senator,  
Senate Office Building,  
Washington, D. C.

DEAR SENATOR MALONE: The following telegram has been sent to Senator JOHN L. McCLELLAN:

"Object to Reorganization Plan No. 1, effect of which is to give Cabinet standing to Mr. Ewing, Federal Security Administrator."

With best regards,

Sincerely yours,

DOUGLAS A. BUSEY.

August 11, 1949.

Mr. DOUGLAS A. BUSEY,  
Reno, Nevada.

DEAR DOUG: I have your note of August 2, and I intend to support Senate Resolution 147. I have already discussed it with Senator FULBRIGHT, and am opposed to Reorganization Plan No. 1 as presently constituted.

Sincerely,

GEORGE W. MALONE.

CHICAGO, ILL., August 12, 1949.

Hon. GEORGE W. MALONE,  
Senate Office Building,  
Washington, D. C.:

Senate Resolution 147 opposes Reorganization Plan No. 1 which would create a Department of Welfare with a secretary of cabinet rank. This plan would place vital health

matters including the assaying of drugs under control of nonprofessional and political domination. It differs materially from the Hoover Commission recommendation. The National Association of Retail Druggists numbering 34,000 practicing their profession in every State of the Union and the District of Columbia respectfully requests that you favor Senate Resolution 147.

JOHN W. DARGAVEL,  
Executive Secretary, National  
Association of Retail Druggists.

RENO, NEV., August 1, 1949.

Senator GEORGE MALONE,  
Senate Office Building,  
Washington, D. C.:

I have just sent the following telegram to Senator JOHN L. McCLELLAN.

"I object to Reorganization Plan No. 1 elevating Mr. Ewing the social administrator to Secretary of Welfare as a Cabinet Member would prefer suggestions made by the Hoover Commission."

LOUIS J. CAPURRO, Jr.

RENO, NEV., August 1, 1949.

SENATOR MALONE,  
Senate Office Building,  
Washington, D. C.:

Washoe County Medical Society strongly opposes Truman Reorganization Plan No. 1.

ERNEST W. MACK, M. D.,  
President.

RENO, NEV., August 1, 1949.

Senator GEORGE MALONE,  
Senate Office Building,  
Washington, D. C.:

Will you please oppose Reorganization Plan No. 1.

JESSE W. SMITH.

RENO, NEV., August 3, 1949.

Senator GEORGE W. MALONE,  
Senate Office Building,  
Washington, D. C.:

Our organization asks your full support of Senate Resolution No. 147 and that you do all you can to defeat Reorganization Plan No. 1 for the best interests of our State and country.

NEVADA STATE PHARMACEUTICAL ASSOCIATION,  
RAY W. FLEMING, President.

EASTLEY, NEV., August 2, 1949.

Senator GEORGE W. MALONE,  
Washington, D. C.:

Earnestly request you use your best efforts to defeat Reorganization Plan No. 1; regards.

THOMAS A. SMITH.

LAS VEGAS, NEV., August 3, 1949.

Senator GEORGE MALONE,  
Senate Office Building,  
Washington, D. C.:

The dentists of Clark County respectfully request that you vote in favor of Senate Resolution 147.

DR. QUANNAH S. McCALL,  
Secretary and Treasurer, Clark County  
Dental Society.

RENO, NEV., August 3, 1949.

Hon. Senator GEORGE MALONE,  
Senate Office Building,  
Washington, D. C.:

As councilor for American College of Radiology representing radiologists in Nevada, I strongly urge voting for Fulbright-Taft-Hunt Senate Resolution 147 in preference to President's Reorganization Plan No. 1, which is detrimental to interests of private practice of medicine. Believe this wire follows similar request made recently by representatives of Nevada State Medical Association.

MORTON J. THORPE, M. D.

LAS VEGAS, NEV., August 3, 1949.

Senator GEORGE MALONE,  
Senate Office Building,  
Washington, D. C.:

We respectfully request that you vote in favor of Senate Resolution 147, introduced by Senators HUNT, TAFT, and FULBRIGHT.

DR. CLIFFORD A. PAIN,  
Secretary and Treasurer, Nevada State  
Dental Association.

RENO, NEV., August 2, 1949.

Senator GEORGE W. MALONE,  
Senate Office Building,  
Washington, D. C.:

In regards to bill 147 I would like to say I personally think it a good thing. Hope that Reorganization Plan No. 1 does not go through. I am very much opposed to it.

Kindest regards.

RAYMOND I. SMITH.

RENO, NEV., August 9, 1949.

Senator GEORGE W. MALONE,  
Senate Office Building,  
Washington, D. C.:

As State of Nevada representative International Chiropractors Association, members request you vote "No" Taft-Hunt-Fulbright resolution regarding United Medical Department creating medical monopoly control key Cabinet position. Further request you wire your position on this vote.

JACK C. BUCHHOLZ, D. C.

AUGUST 11, 1949.

Dr. JACK C. BUCHHOLZ,  
Reno, Nev.:

Reurtel August 9 oppose Reorganization Plan No. 1 as it is presently constituted and will watch.

GEORGE W. MALONE,  
United States Senate.

AUGUST 13, 1949.

EARL WOOSTER,  
Superintendent of Reno Schools,  
Reno, Nev.:

We are voting on the President's Reorganization Plan No. 1 on Tuesday with which you are no doubt familiar. I have received wire from Mildred Bray, State superintendent of public instruction, opposing this resolution on ground that it is "untenable to degrade one of most important functions of Government, education, by passage of Reorganization Plan No. 1." Would like your personal reaction to this plan. Regards.

GEORGE W. MALONE,  
United States Senator.

WASHINGTON, D. C., August 11, 1949.

Hon. GEORGE W. MALONE,  
Senate Office Building,  
Washington, D. C.:

Personally and on behalf of 8,000,000 members of American Federation of Labor unions and their families concerned with administration of Government agencies dealing with vital matters of education, health, and welfare, urge you to support the President's Reorganization Plan No. 1 to create a Department of Public Welfare in accordance with recommendations of Hoover Commission.

WILLIAM GREEN,  
President, American Federation of  
Labor.

WASHINGTON, D. C., August 15, 1949.

Hon. Senator MALONE,  
Senate Office Building,  
Washington, D. C.:

Strongly urge you give full support to vitally needed Reorganization Plans 1 and 2. Plan No. 1 is necessary to place welfare activities under Cabinet officer in the interest of human need and efficiency. Plan No. 2 is necessary to assure the administration of



employment services and unemployment compensation in a manner which protects the interests of both employers and workers. To accomplish both these objectives we urge you to vote against resolutions immediately due for floor action which reject the President's Reorganization Plans 1 and 2.

NATHAN E. COWAN,  
CIO Legislative Director.

RENO, NEV., August 14, 1949.

Senator GEORGE W. MALONE,  
Senate Chambers, Washington, D. C.:  
Favor Government Reorganization Plan No. 1.

EARL WOOSTER.

Mr. MALONE. Mr. President, most of these telegrams are of the same tenor. All but three oppose the reorganization plan, for the principal reason that it would submerge a great department of Government, and would bring together, without a real reorganization, or economy, important unrelated branches of our Government, all under a social security set-up, which will not result in either efficiency or economy, and which will probably prevent any future reorganization contemplated and recommended by the 1948 Commission—now known as the Hoover Commission.

Mr. President, I subscribe generally to the conclusions and recommendations of the Senate Committee on Expenditures in the Executive Departments:

First. The plan does not conform to the recommendations of the Commission on Organization of the Executive Branch of the Government for the establishment of a Department of Welfare, primarily in that it omits the Commission's recommendation relating to consolidation of all major Federal medical facilities, including the Public Health Service, in a proposed independent United Medical Administration.

Second. The functions of health, and education, to a lesser extent, have been dominated by and subordinated to the function of welfare by the Federal Security Agency, to the detriment of the former. The power which accompanies departmental status and the increased prestige which the Secretary of Welfare would gain would augment this existing trend toward subordination of education and health to welfare.

Third. Further, the plan, by virtue of section 2, (b), (c) which vests in the Secretary of Welfare authority to consolidate and to delegate functions, with minor reservations, destroys any degree of independence, or autonomy, the Public Health Service and the Office of Education presently enjoy. The plan actually gives the Secretary of Welfare complete control over all functions of the Department, authorizing him to reorganize them, within statutory limitations, in such a manner as to give the Secretary outright domination over administration of the health, education, and welfare activities of the Government.

Fourth. No economies could be expected to be achieved in the immediate future from conversion of the Federal Security Agency to a Department of Welfare.

Mr. President, if this plan is rejected the President may in his own time reconsider the Reorganization Plan No. 1

and submit a new more workable plan to the Congress at a later date.

A rejection of this specific plan can in no way be considered a rejection of the recommendations of the Commission on Reorganization of the Executive Branch of the Government created by the Eightieth Congress.

We have passed a bill for reorganization of the Armed Services. We have passed a bill creating a General Service Agency, and I know of no plans to oppose plans Nos. 3, 4, 5, and 6.

Mr. McCLELLAN. Mr. President, I yield 20 minutes to the senior Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 20 minutes.

Mr. TAFT. Mr. President, I spoke yesterday on this subject comprehensively. I wish to add only one point.

The main question is whether this Reorganization Plan No. 1 is or is not in accordance with the Hoover reorganization plan. Although yesterday the Senator from Illinois properly pointed out that we are not bound by all the details of the Hoover plan and we may properly differ with the Hoover plan in one place or another, yet at the present time I think most Senators wish to approve the Hoover reorganization plan. In my opinion, Reorganization Plan No. 1, so-called, is not in accordance with the Hoover plan. Approval of this reorganization plan would do far more to discredit the Hoover plan and do far more to prevent its ultimate adoption than the rejection of Plan No. 1 would do.

The Hoover reorganization plan contains a great many different features. Apparently the Hoover Commission prepared plans or recommendations or statutes which it sent to the President. The President apparently sent them to the Bureau of the Budget, and the Bureau of the Budget in many cases has rewritten them. In nearly every case the actual plan or proposed statute submitted to Congress covers only a part of the Hoover plan recommendations.

We have to decide whether Reorganization Plan No. 1 is sufficiently in accordance with the Hoover plan so that we should adopt it. Is it substantially in accordance with the Hoover plan or is it substantially in violation of the Hoover plan?

It is said if we reject plan No. 1, that action will in some way discredit the Hoover report. That is the President's argument, namely, that in some way we shall then make it impossible to go on with reorganization.

Mr. President, in the first place, let me call attention to the fact that we already have taken some eight different substantial steps in furtherance of the Hoover plan. We already have approved a Reorganization Act which gives the President of the United States greater power to reorganize, I think, than is given in any other bill the Congress has passed. That was the first step in carrying out the Hoover plan.

In the second place, we passed a bill reorganizing the armed services substantially in accordance with the Hoover plan. That bill has been passed by both Houses

of Congress and has been signed by the President.

In the third place, we passed a bill creating a general services agency, which is somewhat in accordance with the Hoover plan, although it does some things which I think are in violation of it and are likely to prevent the ultimate carrying out of other features of that plan. Still, we decided that on the whole it was in substantial accordance with the Hoover plan, and we approved it.

Those are three steps we have taken.

Plans 4, 5, 6, and 7 have been submitted. All of them become law day after tomorrow, if no action is taken by the Congress on them; and so far as I know, no action is proposed to be taken by Congress on those plans.

So, Mr. President, we have taken eight substantial steps in carrying out the Hoover plan.

The one now before us happens to be called plan No. 1; but in effect it is plan No. 9, so far as we are concerned.

Here, for the first time, we encounter a recommendation of the Administration which in my opinion is in violation of the Hoover plan, not in accordance with it. By the plan now before us, a Department of Welfare would be created.

Mr. PEPPER. Mr. President, does the Senator from Ohio care to yield?

Mr. TAFT. I yield to the Senator from Florida.

Mr. PEPPER. Mr. President, if the health agency were not to be incorporated in the Department of Welfare, in what group does the Senator from Ohio contemplate it would be located?

Mr. TAFT. The Hoover recommendation is certainly very definite and clear. The Hoover Commission would create an independent, united medical administration which would combine many other health features of the Federal Government, as well as the Public Health Service and one or two other health services which now are in the Federal Security Agency.

Mr. PEPPER. Mr. President, will the Senator yield further?

Mr. TAFT. I yield.

Mr. PEPPER. The Senator is quite aware, is he not, of the determined opposition of the veterans' organizations to including the veterans' hospitals in such a united medical agency?

Mr. TAFT. Certainly, I am quite willing to admit that the feature regarding a united medical administration is a controversial feature, with which I hope we may be able to deal. But I do not see how we ever shall be able to deal with it. The administration could have avoided that if it had wished to do so. The administration could have put in this plan provision for an independent medical administration. The administration could have proposed the creation, out of the Public Health Service, of an independent medical administration. At least all the noncontroversial things could be transferred to such an administration, and I would hope, some of the controversial things.

Surely the President is preparing to carry out a plan. In this plan he could have created the United Medical Administration, and he certainly could have

put in most of the things recommended by the Hoover Commission. If he wanted to reserve the transfer of one thing, veterans' hospitals perhaps, he could have reserved that, and there would have been no violation of the plan. But it was perfectly possible. I believe very strongly that Mr. Hoover was misled. When he inquired, "Why is not this in accordance with my plan?" he was told, "Oh, we could not do that legally; we could not put that in the plan." Indeed, I think he certainly was misled, according to his own testimony, because if there can be created under this bill a Department of Welfare out of the Federal Security Agency, changing its name and setting it up as a department, certainly it would be possible to take the Public Health Service and set it up as an independent medical administration with an independent head, responsible directly to the President, and it would have been possible to add to it such additional health services from other departments as the President chose to add.

If he had not added all those things that were recommended by Mr. Hoover, I should not be criticizing him. I do not object to taking one thing, if it is in no way going to interfere with the next step. The difficulty with this procedure is that, once we create a department, once we put Oscar Ewing in the Cabinet in charge of this Department, with his definite, determined statement that he is absolutely opposed to a separate medical administration, then I think it will become impossible ever to get such a separate medical administration.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. PEPPER. Mr. President, did not the able Senator from Ohio and the able Senator from Arkansas [Mr. FULBRIGHT], in Senate bill 140, group together social security, health, and education, just as the President has done in plan No. 1?

Mr. TAFT. We did, and for 2 years or 4 years we have been struggling to establish the fundamental principle that health and education shall be practically autonomous in that department. The bill which was recommended by the committee, which we finally approved, was a bill with no overhead organization other than the Cabinet officer himself, but provided, in effect, for a Department of Health, a Department of Security, and a Department of Education, each one under an Under Secretary responsible directly to the Secretary only. Because these three things are completely different in function, there is no logical reason under the Reorganization bill for including them all in one department. But we felt then, and I feel now, that these are matters in which the Federal Government does not have primary responsibility, but the States and localities in all three cases have the primary responsibility, and therefore, since we cannot very well say that each one is important enough to have a Cabinet officer, I was willing to have one Cabinet officer and have the three under him, if they were autonomous, if each of those Departments could operate—a Department of Health under a health man who knew something about health, an Educational

Department under a man who knew something about education, and the Security Department under a man who knew something about security.

Mr. PEPPER. Mr. President, if the Senator will yield, I shall not impose but a moment more upon him. Will the Senator allow me one further question?

Mr. TAFT. I have a limited amount of time.

Mr. PEPPER. Under Reorganization Plan No. 1, there is one Under Secretary; then there are three assistant secretaries. Is it not logical and reasonable to suppose that the three assistant secretaries would be relatively and respectively assigned to the three great groups and units namely, social security, health, and education, making up this department?

Mr. TAFT. I do not know what it is reasonable to assume, but I doubt very much if there is any such reasonable assumption. Consider the present set-up of the Federal Security Agency. I turn to the Congressional Directory for that. At page 417 we find that over and above the Surgeon General and the Public Health Service, over and above the Social Security Administration, over and above the Director of the Office of Education, there is the Federal Security Administrator. There is an assistant Federal Security Administrator, Mr. J. Donald Kingsley, a gentleman who certainly has been at least very frequently with Communists; an assistant administrator for program, a commissioner for special services, two assistants to the Administrator, an executive assistant to the Administrator, a general counsel, a director of research, a director of publications and reports, a director of interagency and international relations, a director of Federal-State relations, and a director of field services. This is the staff of the Federal Security Administration, and we can assume there would be a still larger staff if it were created into a department.

The overhead organization completely dominates and supervises health and educational activities, and, because of that, Dr. Parran, resigned as Surgeon General of the Public Health Service, after many years, and Mr. Studebaker resigned from the Office of Education after many years. They resigned because they were completely subjected to and directed in matters of policy by this overhead organization and unable any longer successfully to operate their departments independently.

Mr. PEPPER. Mr. President, is not that inherent in any centralization process? Did not the Secretary of the Navy resign when Congress provided for the unification of the armed services?

Mr. TAFT. Exactly. But armed services are one weapon in war, they are one weapon in peace; whereas health, education, and welfare are completely different in their whole functional purpose and organization. At the local level, in Ohio, at least, we have kept our schools completely separate, even from city and county government. They are independent agencies of government. In most of the States an independent director of education is elected. In every State and city that I know of, welfare and health are completely separate. The two are administered

separately, and there is no similarity between them, except the general fact that they are all local services primarily, and the Federal Government is in a secondary role. It seemed reasonable, since there was no primary role, that at least those three services—health, education, and welfare—should have a representative in the Cabinet who would speak for them when the President's advisers gathered around. That was the nature of the bill which the Senator from Arkansas and I introduced.

Mr. THYE. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. THYE. Mr. President, I am wholly in accord with the senior Senator from Ohio in his remarks on this question. I believe the Senator was off the floor earlier in the afternoon when I made the statement that, were it possible for me to offer and obtain adoption of an amendment to the reorganization plan, making it mandatory that a professional medical man be the Cabinet officer, I should then feel more comfortable in voting for Reorganization Plan No. 1, knowing that if the agency was headed by a professional medical man, we might have an opportunity at some future time to amend the Reorganization Act and make possible the adoption of the Hoover recommendation by setting up an independent agency for the medical division of the Federal Government. But if we adopt Reorganization Plan No. 1 as now proposed, I know the President will veto any attempt on the part of Congress at some future time to separate the medical division from the agency having the Cabinet status which we would give it under the reorganization plan. So for that reason, I personally cannot support the pending Reorganization Plan No. 1, knowing full well that we could never at any future time separate the medical agency and establish it as an independent agency, as the Hoover Commission recommends.

Mr. TAFT. Mr. President, I may say that if this plan is rejected, the President will still have the opportunity at any moment to submit another plan. As a matter of fact, the Committee on Expenditures in the Executive Departments is prepared to proceed at once, I understand, to consider the proper working out of this particular situation, including a separate medical administration in the department. I can understand Mr. Hoover's feeling about it. He does not like to criticize the President. He is trying so far as he can to work with the President, but I do not find that Mr. Hoover's recommendations of plan No. 1 is what I would call enthusiastic. He points out particularly:

The Commission found difficulty as to the name of this new department. It recommended that it be elevated to department status. Some of us felt that the word "welfare" carried unfortunate connotations, including the implication of the objectionable connotation of a welfare state.

Unlike the Senator from Minnesota, he does not like that connotation.

Under our plan the new department's function would be limited to education and social security. The sentiment of the majority of our Commission seemed to be that



it should be called the Department of Education and Security, rather than the Department of Welfare, although no formal action was taken by the Commission on that point.

I have a very strong feeling that if we once approve the idea of the Budget Bureau, and the administration can pick out those things they like in the Hoover plan and postpone for action later on everything that is difficult, we are never going to consummate the Hoover plan. We are going to have all the features of the Hoover plan which increase salaries, all the features of the Hoover plan which increase powers, all the features of the Hoover plan which provide more personnel to serve under the director, but we are never going to get the part that cuts out anyone; we are never going to get the part that provides any economy whatever.

There is certainly no economy in this set-up. We simply take the Federal Security Administration and boost it into a department of the Federal Government. Mr. Ewing will be Secretary instead of Administrator.

There is one feature of the plan which, in my judgment, is exceedingly dangerous, namely, the sweeping provision that the Secretary shall have all the powers of all constituent agencies of the Federal Security Administration. We gave power to the Surgeon General to approve certain plans. Then we established a hospital board. There is an appeal from the Surgeon General to the hospital board. That board has certain functions and the Surgeon General has certain functions. Under this plan, all those functions are transferred to the new Secretary, and he can redistribute them as he sees fit. He can, as I understand, abolish the advisory board. He has complete power over health, education, and social security. No one can learn enough about all three of those subjects to exercise wisely the power which is granted in this reorganization plan to direct all health activities, all welfare activities, and all education activities. He cannot make himself enough of an expert to do that. It seems to me very evident that Congress is interested in setting up certain health powers and giving them to the Health Department, setting up education powers and giving them to an education department, and setting up other powers and giving them to the Federal Security Administration. This plan, in my opinion, prevents the final carrying out of the Hoover plan to establish a separate medical administration. We may think it is wise or we may not think so, but it is perfectly clear that if we approve this plan we shall never have a separate medical administration. We only encourage the submission to us of plans containing the things the administration likes and rejecting those things it does not like. I read yesterday a list of departments, every one of which is strongly in favor of greater personnel. Every department is in favor of more powers, and every department criticizes and resists any recommendation that may bring about economy or may bring about a consolidation of agencies.

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The PRESIDING OFFICER. The time of the Senator from Ohio has been extended 3 minutes.

Mr. TAFT. There is a good deal of evidence in that respect in the plans we have already had presented to us. I pointed out that in the State Department plan there were two new Assistant Secretaries. The President did not abolish the council which the Hoover plan said should be abolished. The council was retained in the reorganization of the State Department.

In plan No. 2 the administration has chosen four or five things to be transferred to the Labor Department. One thing has been administration policy for 4 years and has always been opposed to congressional policy, and that one thing has been transferred without transferring others. I do not think that is the same kind of violation which is involved in this case, because the others can be transferred; but under the establishment which now exists I am absolutely confident that there will never be an independent medical administration unless we provide for it.

What does the Hoover Commission recommend? It recommends a department which includes welfare and education. The plan which has been submitted includes welfare, education, and health. It is certainly an entirely different kind of department, which changes the whole nature of the department recommended by the Hoover Commission.

So, Mr. President, far from its being a repudiation of the Hoover plan, our rejection sets a course of action which will tell the executive department that if it wishes the Congress to approve its plans on the grounds of being Hoover Commission recommendations, the plans must be submitted in accordance with those recommendations, and it cannot use the Hoover recommendations to further particular philosophies of government which the executive department approves.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. HUMPHREY. In view of the Senator's remarks, I wonder if he is familiar with the recent letter from the chairman of the Citizen's Committee, Mr. Robert L. Johnson. I wonder, also, if the Senator is familiar with the telegram read this morning by the distinguished Senator from Louisiana [Mr. ELLENDER] from former President Hoover.

Mr. TAFT. Yes; I am thoroughly familiar with the Hoover statement. He said:

I likewise supported plan No. 1 and outlined that the further imperative steps recommended by the Commission are the separation of all health and labor agencies from the new department, and reorganization of budgeting, accounting, and personnel methods.

Mr. Hoover is not here, and he does not realize the history behind all this. He does not realize that his next step is an impossible step for Congress to take. He does not realize that it could have been put into this plan, because he was told that legally it could not be done. Every lawyer agrees that it could have

been done if the administration had wished to do it. He went on to say:

The Commission did not recommend the term "welfare" as the name of the department, but inclined to the term "education and social security." The recommended reorganization will of course not be effective until these further steps are undertaken.

I think Mr. Hoover does not realize that those steps never will and never can be taken if we once approve this plan.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. TAFT. My time has expired.

Mr. HUMPHREY. I shall take a half minute of my time to say that the junior Senator from Minnesota was very courteous and gracious in yielding plenty of time for interrogation, and I hoped that the senior Senator from Ohio would accord me the same privilege. After a direct and, one might say, a dogmatic statement as to what his objections were to Reorganization Plan No. 1, I will take a moment—

Mr. TAFT. I shall be glad to answer the Senator in his time.

Mr. HUMPHREY. The Senator from Minnesota will take 1 minute of his own time at the moment.

The Senator from Ohio has clearly stated that it is impossible to get medical legislation, and, on the other hand, he has criticized the program of the President because he has included an independent health program in the reorganization plan, which adds up to what? If it is impossible to get a united medical administration because of some kind of opposition—and apparently the Senator thinks it is impossible to get this reorganization plan through because of his opposition—how are we going to get any kind of reorganization so long as there is that kind of an attitude, in which the Senator from Ohio himself advocates resisting this moderate plan? Added to what he has already said regarding his opposition to the united medical administration, what do we find? We find what we have found on other occasions. There is something we cannot do now and that we cannot do tomorrow, and, hocus-pocus hicky-mocus, it adds up to nothing.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter which appeared in the Washington Post on August 10, 1949, by Elizabeth Wickenden, Washington representative of the American Public Welfare Association.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

#### WELFARE DEPARTMENT

All over the country today, people working in the fields of health, welfare, and education are experiencing a bitter disappointment because of the action of the Senate Expenditures Committee in recommending against Reorganization Plan No. 1 to elevate the Federal Security Agency to a department of welfare.

It seems most unfortunate that the wholly irrelevant issue of health insurance should be permitted to confuse the simple issue of giving these functions the prestige and recognition of Cabinet representation. No program of health insurance can be undertaken by the proposed department or any other Federal agency unless Congress enacts

a law for that purpose, which is not soon likely. On the other hand the present social insurance and grant-in-aid programs of the Federal Security Agency, widely supported and noncontroversial in character, have reached a scope which leaders in these fields have long felt warranted a regular department at the Cabinet level.

As evidence of this support the following is pertinent: In 1947 the American Council on Education and the National Social Welfare Assembly, central clearinghouse organizations for virtually all national associations in these fields, set up a joint committee composed of a group of distinguished and representative leaders in all areas of health, welfare, and education. Many meetings were held, a careful report was prepared and recommendations made for a combined department as proposed in Reorganization Plan No. 1. Among other things this report recommended that "an executive department of health, education, and security, headed by a Secretary of Cabinet rank, be established at this time by the Congress of the United States" and further "that this objective be accomplished by legislation converting the existing Federal Security Agency into such an executive department and transferring the powers and duties of the Agency and its Administrator to the new Department and its Secretary." This is exactly what Reorganization Plan No. 1 does.

Earlier in 1945 the committee on reorganization of community services of the Woman's Foundation of which Mrs. Agnes Meyer and Dr. Leonard Mayo, vice president of Western Reserve University, served as cochairman likewise recommended "an inclusive Federal department of education, health, recreation, welfare, and social insurance." This committee, likewise, was composed of distinguished representatives in these fields. Many previous proposals had been made going back to the Harding administration.

At the recent hearings on Reorganization Plan No. 1 statements in behalf of the plan were submitted by the following organizations among others: American Public Health Association, American Council on Education, American Public Welfare Association, Congress of Industrial Organizations, American Federation of Labor, American Legion, Family Service Association of America, National Association for the Advancement of Colored People, Council of Social Action of the Congregational Church, American Association of Social Workers, National Federation of Settlements, and Disabled American Veterans.

I have cited these facts as evidence that this proposal for a Department of Welfare represents the historical culmination of long-felt aspiration on the part of an important segment of American life.

It is hoped that the Senate will recognize this proposal as such, and permit the plan to become law, thus giving to millions of Americans the reassurance that the welfare of our own people is a concern of Government on an equal footing with our foreign affairs, our national defense, agriculture, business, labor, natural resources, and law enforcement.

ELIZABETH WICKENDEN,  
Washington Representative, American Public Welfare Association.

Mr. LUCAS. Mr. President—  
The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. LUCAS. Mr. President, one of the most remarkable and amazing statements I have heard on the floor of the Senate in a long time was just uttered by the distinguished Senator from Ohio [Mr. TAFT], when he took Mr. Herbert Hoover, former President of the United States, to task by telling the Senate and

the country that Hoover did not realize what he was doing, after putting in month upon month of constant study upon one of the most important reorganization plans which has ever been submitted to the Congress of the United States. Furthermore, if we should judge what the Senator from Ohio has said as being the truth, then the Senator from Ohio is the only lawyer in the country who understands this matter perfectly and properly, and all the lawyers who were around Mr. Hoover's Commission knew absolutely nothing about what they were doing with respect to the one point that is here in issue, namely, the point dealing with the united medical services.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LUCAS. My time is limited. The Senator made quite a speech, and I am trying to answer it.

I repeat, I am shocked and surprised to find that a good Republican from Ohio would deal with Mr. Hoover in any such manner. I can understand how a Democrat perhaps might take Mr. Hoover apart, but it is a little difficult for me to understand how the Senator from Ohio can do this, in view of the long hours, and the days, and the weeks, and the months, which were spent by this servant of the people in connection with this reorganization plan.

Mr. President, on August 12, Mr. Johnson, who heads the Citizens Committee for the Hoover Report, wrote to the President of the United States. I shall omit the first paragraph of his letter. Mr. Johnson said:

Analysis shows that plan No. 1 contains two of the six major recommendations of the Commission with respect to the creation of a Department of Welfare. The committee calls attention to the testimony of the Honorable Herbert Hoover before the Senate Committee on Expenditures on June 30 in which he expresses belief that specific legislation might be required to effectuate some of the major provisions omitted by the plan, especially that relating to United Medical Services.

That is the exact position taken by the President of the United States in the submission of Reorganization Plan No. 1. I continue reading from the letter:

The committee advocates acceptance of plan No. 1 with the understanding that the President and the Congress should move promptly to effectuate the balance of the changes contemplated by the Commission. It was the consensus of the Commission, later expressed in testimony by Mr. Hoover, that in raising the educational and social-security functions of Government to departmental status, the new Department might more properly be called a Department of Education and Social Security.

On this Citizens' Committee for the Hoover Report are outstanding citizens like Hon. Warren Austin; Hon. William L. Clayton; Gen. Charles G. Dawes; Hon. James A. Farley; Hon. John N. Garner; Hon. Allen B. Kline, head of the American Farm Bureau Federation; Hon. Robert P. Patterson; Hon. Harold E. Stassen; Mr. Charles E. Wilson, and others.

Some of the learned and able men of this country are on the board of the Citizens' Committee for the Hoover Re-

port. They undoubtedly had their own lawyers, with whom they conferred when necessary, on each and every one of the reorganization plans which were submitted.

Mr. President, this is in line with the telegram that was sent by the former President of the United States, Hon. Herbert Hoover, today, in connection with the plan.

I like to refer to the minority report submitted by the able junior Senator from Maine [Mrs. SMITH], which says so much in such a few words. She said:

I would summarize my conclusions less eloquently and more briefly by observing that (1) the plan follows the Hoover Commission recommendations as far as it goes; (2) the issue is not socialized medicine as some would have us believe—were this true I would oppose the plan because I am opposed to socialized medicine.

Mr. President, whether this plan shall be defeated or shall win, it will be an issue on the hustings, so far as concerns many Senators and Members of the House who are attempting to lay socialized medicine at the door of this administration. As is said by the junior Senator from Maine [Mrs. SMITH], if this were an out-and-out socialized-medicine proposition, the Senator from Illinois would not be on his feet arguing for it, because from the time I first became a Member of Congress I have told my constituents consistently that I am unalterably opposed to socialized medicine.

With further reference to socialized medicine, I wish to read what the doctors are telegraphing the Senator from Illinois as a result of the high-powered propaganda machine which has been hired by the American Medical Association. I have here a telegram from a close friend of mine, who is a wonderful doctor in central Illinois. He says:

DEAR SCOTT: We are strongly opposed to Reorganization Plan No. 1 mainly because it does not correct the faults of Federal Security Agency and replace it with a health department under a physician. It does place almost unlimited power in hands of Federal Security Agency Director who is on record as wanting to socialize our entire economy. We feel this Director cannot be trusted and ask your support in opposing Reorganization Plan No. 1.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. LUCAS. I regret I have not the time. I shall yield some other day when we are talking about another subject in which the Senator and I are interested.

The PRESIDING OFFICER. The Senator from Illinois declines to yield.

Mr. LUCAS. Mr. President, that is the type of propaganda which is being sent to Senators, many of whom for some cause or other, are being lured by the American Medical Association into the position of voting against Reorganization Plan No. 1 because of a confused issue.

I have here another telegram which says:

Re proposed Secretary of Welfare. Oscar Ewing is a danger to our country.

That is signed by a medical man. And so they go.

The whole issue seems to be whether or not we are going to have Oscar Ewing



as the Administrator of this Department. It has been argued over and over again that if it is possible to get 49 votes to override Reorganization Plan No. 1 it will be possible to get 49 votes to defeat Oscar Ewing, if his name shall be sent to the Senate for confirmation as the head of the new department.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LUCAS. That would be the time to hit Oscar Ewing below the belt if one desired to do so, and not in connection with a particular plan which has merit.

Mr. President, ever since I have been a Member of Congress there has always been someone wanting to reorganize the executive branch of the Government, and every time, we have found the same group, either in the House or the Senate, throttling the plan.

If the pending plan is defeated, we will know exactly where the responsibility lies. The country will know it in the 1950 campaign. This is certain to be an issue.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LUCAS. I yield to the Senator from Ohio.

Mr. TAFT. Is the Senator aware of the fact that the Senator from Ohio and other Senators have received telegrams from CIO unions in their States urging the approval of the plan, that their propaganda is just as great here, in effect, as the medical propaganda on the other side?

Mr. LUCAS. I would hope that the CIO would propagandize the Senator from Ohio, because he needs a little of it.

Mr. President, in connection with the United Medical Administration, some of the major recommendations of the Hoover Commission concerning the Federal Security Agency are highly controversial and are the subject of profound disagreement among experts in public administration. Such is the proposal for a United Medical Administration, which is recommended by the Senator from Ohio and others who are opposed to plan No. 1, and who say that the provision for such an agency is the only thing that will ever lead them to vote for a reorganization plan. This recommendation had the unqualified support of only four members of the Hoover Commission. The other eight dissented for one reason or another and three members were in complete disagreement with the plan.

It would have been very unwise for the President to attempt to set up such an independent medical agency as a part of this first reorganization plan. Such a proposal would have been overwhelmed by controversy which would have resulted in the defeat of any proposed reorganization plan.

Had the President sent up what the Senator from Ohio is asking we could have discussed it only 10 hours, which would have been fortunate, but had the 10-hour limitation not been in the law, we would have been here another 3 weeks upon that one question alone. It was a wise course to confine the first plan to those recommendations which had the unanimous support of the Hoover Commission. The recommendations which

are extremely controversial were properly withheld until they could be studied more thoroughly by the President and Congress. Such proposals are at this time receiving such study and consideration.

The Senate Committee on Labor and Public Welfare has before it a bill which would create a United Medical Administration. No Senator would expect that committee to report the bill until it had been given thorough study. It should be clear that the President should not submit a similar proposal to Congress until it has been thoroughly considered.

The Commission on Organization of the Executive Branch of the Government recommended that the Federal Security Agency be made an executive department along organizational lines, precisely identical with the President's proposed plan.

The Commission, however, recommended that certain functions now in the Federal Security Agency be transferred to other agencies, and functions in other agencies be transferred to the new Welfare Department. Reorganization Plan No. 1 does not provide for these transfers. These recommended transfers are:

The Commission recommended that the following functions be transferred from the FSA:

First. The Public Health Service is to be transferred to a new organization to be created, the United Medical Administration.

Second. The Bureau of Employees Compensation and the Employees Compensation Appeals Board is to be transferred to the Labor Department.

Third. The Food and Drug Administration is to be transferred in part to the Department of Agriculture, and in part to the new United Medical Administration.

The Hoover Commission also recommended that the Bureau of Indian Affairs be transferred from the Department of the Interior and placed in the new Department of Welfare.

Opposition to this plan is given a certain respectable appearance by being placed on the following grounds:

It is argued that the plan does not carry out all the recommendations of the Hoover Commission relating to the FSA.

That is what the Senator from Ohio [Mr. TAFT] has been arguing today.

It is also argued that "no permanent realignment as proposed under plan No. 1" should be approved until Congress determines whether or not there shall be created a United Medical Administration. This argument is stressed by the Senate committee.

I contend that neither of these objections is valid. The President in his message to Congress recognized that the plan did not go all the way. He stated:

I am fully aware of the recommendations of the Commission . . . . With respect to the various units of the Federal Security Agency . . . . proposals are currently under study, but final conclusions have not been reached with respect to them.

Herbert Hoover in his testimony before the Senate committee firmly supported the President's reorganization plan. He

did not believe that any part of his recommendations were jeopardized by the President's action in taking one step at a time.

He stated that the setting up of a United Medical Administration required legislative action, and "Therefore it is no criticism of the President's plan to point out that those bureaus cannot be transferred at the present moment."

Do Senators think he did not have legal advice when he made that statement? Do Senators think he was misled by someone into making that statement? Do Senators believe that the Senator from Ohio is the only Senator who possesses all the legal knowledge in the country upon a question of this nature?

Mr. Hoover pointed out that the President has been very cooperative and there is no reason to assume that the rest of the Commission's recommendations will not be given thorough consideration.

In other words, the fact that the President chose to take one large single step at the outset does not preclude further reorganizations.

Here is a strange thing, Mr. President. I presume the Senator from Illinois received not less than 15,000 letters from the State of Illinois and from other sections of the Nation requesting that I vigorously support the reorganization of Government agencies, as submitted by the Hoover Commission. I replied to each and every writer of such letters that I would do so. I have found, after a careful analysis of the letters, that some of the writers who wanted me to support the reorganization plan from the standpoint of efficiency and economy in Government are now asking me to do just the opposite.

Mr. President, the Hoover Commission was unanimous in its view that a Welfare Department should be created. It was not unanimous as to its functions, and this is important. Every President since Harding has recommended the creation of such a department. We have gone all over the history of reorganization, and every Member of the Senate knows about it.

Mr. President, the House of Representatives contains many Members of great legal ability. One of them is Representative BROWN of Ohio, who, I am told, managed the campaign of the senior Senator from Ohio [Mr. TAFT] for President of the United States last year. He was for Reorganization Plan No. 1. Yet with all the legal talent there is in the House of Representatives, there was little or no objection in the House respecting Reorganization Plan No. 1. The Members of the House usually raise considerably more disturbance about matters of this kind than does the Senate.

No, Mr. President; it is the same old story. Someone wants to defeat the administration in its submission of Reorganization Plan No. 1. Someone wants to defeat the administration because there is a man named Oscar Ewing who a certain doctor says is a danger to the country, who he believes is going to socialize everything. Yet, as Senators know, Mr. Ewing was making a great deal of money as a practicing attorney, one of his clients being the Aluminum

Corp. of America, before he took the position which the Government offered him. I do not think a man of that kind can be socialized overnight, as some Senators seem to believe.

Furthermore, Mr. President, it seems to me that Senators of the United States are being overly severe when they take the position that a person who is involved in connection with the consideration of the plan, is the real issue at stake. The principle, rather than the man, is the real issue, as was so well expressed by the distinguished Senator from Maine [Mrs. SMITH].

Mr. President, if we are ever going to secure reorganization of Government departments, Senators had better begin right now with the approval of Reorganization Plan No. 1. We have now before us the greatest opportunity we have had in a long, long time to do what is necessary to be done to secure reorganization in the executive branch of the Government. In view of the fact that the House of Representatives has passed over Reorganization Plan No. 1, with all the legal talent there is in the House, with all the eminent lawyers there are in the House committees—and they have agreed to do so with little or no opposition—it seems strange to me that the Senate of the United States should be responsible in the eyes of the Nation for repudiating the President of the United States, and repudiating the former President of the United States Herbert Hoover, and for repudiating the Citizens Committee for the Hoover Report, and all the fine men who have done such good work over so long a period in connection with reorganization in the executive branch of the Government.

Mr. McCLELLAN. Mr. President, I yield 2 minutes to the distinguished junior Senator from Maine [Mrs. SMITH].

Mrs. SMITH of Maine. Mr. President, this is the first test on whether the Congress really wants reorganization of our executive branch or not. What we do on plan No. 1 will set the stage for reception of all other plans.

I am for Reorganization Plan No. 1 because, first, the plan follows the Hoover Commission recommendations as far as it goes; second, the issue is not socialized medicine, as some would have us believe (were this true I would oppose the plan because I am opposed to socialized medicine); third, the issue is not one of personalities but rather one of principle—the plan itself is more important than Mr. Oscar Ewing or any other individual or any special pressure group; and, fourth, perfection and unanimous agreement will never be obtained at the outset on any plan of reorganization, but lack of perfection and unanimity should not be permitted to prevent a start on improvement, and this plan is definitely a start on improvement.

The President has asked for the authority. Let Congress grant it to him. Then if the plan fails of its objectives, the responsibility will be that of the President, not of Congress.

Mr. McCLELLAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The roll was called, and the following Senators answered to their names:

Aiken	Hendrickson	Millikin
Anderson	Hickenlooper	Morse
Baldwin	Hill	Mundt
Brewster	Hoey	Murray
Bricker	Holland	Myers
Bridges	Humphrey	Neely
Butler	Hunt	O'Connor
Byrd	Ives	O'Mahoney
Cain	Jenner	Pepper
Capehart	Johnson, Colo.	Robertson
Chapman	Johnson, Tex.	Russell
Chavez	Johnston, S. C.	Saltonstall
Connally	Kefauver	Schoeppel
Cordon	Kem	Smith, Maine
Donnell	Kerr	Smith, N. J.
Douglas	Kilgore	Sparkman
Downey	Knowland	Stennis
Dulles	Langer	Taft
Eastland	Lodge	Taylor
Eaton	Long	Thomas, Okla.
Ellender	Lucas	Thomas, Utah
Ferguson	McCarran	Thye
Flanders	McCarthy	Tydings
Frear	McClellan	Vandenberg
Fulbright	McFarland	Watkins
George	McKellar	Wherry
Gillette	Magnuson	Wiley
Graham	Malone	Williams
Green	Martin	Withers
Gurney	Maybank	Young
Hayden	Miller	

The PRESIDING OFFICER. A quorum is present.

Mr. McCLELLAN. Mr. President, I yield 25 minutes of my time to the distinguished Senator from Wyoming [Mr. HUNT].

Let me say that I understand this is his first time to address the Senate. I know that on this very important issue, in which he is vitally interested, and in which all members of his profession are interested, all of us will enjoy his remarks.

The PRESIDING OFFICER. The Senator from Wyoming is recognized for 25 minutes.

Mr. HUNT. Mr. President, I may say to the distinguished Senator from Arkansas that this is not my maiden presentation to the Senate. I first addressed the Senate regarding the sales tax, about which I am sure all of us know by this time.

Mr. President, for many and various reasons, affecting the health of all the people of the Nation, reasons that are sound and convincing, I have joined with the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from Ohio [Mr. TAFT] in opposition to the President's Reorganization Plan No. 1, and I express my support of the Hoover Commission recommendation and report as transmitted to the President of the Senate on March 5, 1949, above the signature of Herbert Hoover, Chairman.

Mr. President, today we have heard a great debate in reference to whether these two plans differ. The President's plan provides, and I quote exactly:

SECTION 1. Department of Welfare: The name of the Federal Security Agency is hereby changed to Department of Welfare and such Department is hereby constituted an executive department.

SEC. 2. (b) All of the functions of the Department of Welfare and of all officers and constituent units thereof, including all the functions of the Federal Security Administrator, are hereby consolidated in the Secretary of Welfare.

Therefore, the President's plan No. 1 provides that the health services, educational departments, and the Federal Security Agency shall be consolidated into one new department with Cabinet rank

and designated the Department of Welfare. There in essence we have plan No. 1—a very direct, plain, simple statement that cannot be misunderstood. I am opposed to it.

The Hoover Commission, in its final report, Task Force Report on Federal Medical Services (Appendix O), and in its report on medical activities March 16, 1949, states:

1. To provide better medical care for the beneficiaries of the Federal Government's medical program,
2. To create a better foundation for training and medical services in the Federal agencies,
3. To reduce the drain of doctors away from private practice,
4. To provide better organization for medical research,
5. To promote a better state of medical preparedness for war—

Then this recommendation is made:

To accomplish these purposes, the Commission recommends the establishment of a united medical administration into which would be consolidated most of the large-scale activities of the Federal Government in the fields of medical care, medical research, and public health.

The report further states:

The task force on medical services was instructed to base its original report on the premise that "the Commission will recommend a Cabinet department embracing health, education, and security." However, in view of the size of the medical operations of the Federal Government and the extreme dissimilarities among the activities which would have composed such a department, the task force was later requested to consider the advisability of placing medical service functions in a single agency. Its supplementary report favors very strongly a separate united medical administration. The agency should be headed by a professional career director general, and he "should report directly to the President."

The Hoover Commission report on social security likewise specifically recommends the establishment of a united medical administration reporting directly to the President. So we have two task forces saying in the Hoover report exactly the same thing, in essence. Nine of the twelve members of the Commission recommended and voted for the task force report for the establishment of a united medical administration.

Mr. President, I have dwelt on this point at some length, in order to make it crystal clear, I hope, that the proposed Reorganization Plan No. 1 is not the recommendation of the Hoover Commission. At this time, let me say that a vote in favor of the resolution submitted by the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Ohio [Mr. TAFT], and myself will not be a vote against the Hoover Commission recommendations, but will be a vote to give the Senate a chance to study the Hoover report recommendations. I have studied them, and I support them. Let me say that there is not even any coincidental or accidental similarity between the Hoover report and plan No. 1, as submitted by the President.

Several times in debate it has been developed that recommendations for establishing a department along the general lines proposed in plan No. 1 have



been urged on the Congress since 1935, and each Congress has seen fit not to accept such a plan. There must be a reason for it. It is my hope that this Congress again will not accept the plan as submitted.

Before entering upon a discussion of the pending resolution, the junior Senator from Wyoming wishes to invite the attention of the Senate to the Reorganization Act passed by this body by a voice vote on June 20, of this year, by that act the Congress gave to the executive branch broad powers to legislate. Probably never in the history of our Government has the legislative branch surrendered its prerogatives, its rights, and its duties, to such a great degree. Every one of the four sections of Reorganization Plan No. 1 of 1949 is, of course, legislation.

After passing legislative functions to the executive department, we proceeded to tie our own hands and to make it extremely difficult to prevent the executive department from making far-reaching changes in all departments of the national governmental structure. We granted to the executive department the right to transfer from one jurisdiction to another all or any departments; to abolish the function of any or all departments; to consolidate; to coordinate; to authorize any officer to delegate his functions; and then, in the same act, we securely tied the hands of the Congress by giving the Congress only 60 days to disapprove such changes—a most unusual provision, existing nowhere else in our legislative processes—and giving the Senate committee only 10 days to conduct hearings and to report to the Senate on any resolution not to approve a reorganization plan.

We then made other special Senate rules. We provided that only a Senator favoring the resolution can move to discharge the committee; debate thereon is limited to 1 hour; such motion cannot be renewed; and debate shall be limited to 10 hours on a resolution not to approve. Therefore the Senate is limited, as never before in its consideration of tremendously important legislation.

Further than that, Mr. President, we have made it impossible to submit any amendments to such a resolution. Apparently, to be doubly sure that the wishes of Congress could not prevail, we, the Congress, provided that a resolution disapproving the recommendations or plans submitted by the executive department must have a favorable vote by a constitutional majority, thus defeating or thwarting the wishes of a simple majority. One other unusual section provides for the appointing of an unnamed Cabinet officer for a 60-day period without the advice and consent of the Senate.

Mr. President, the Congress will, to my way of thinking, on many future occasions, have ample and just cause to regret its hasty, improvident action in depriving itself of vital and necessary legislative prerogatives and, in so doing, giving unprecedented encouragement to a more powerful, centralized, bureaucratic form of government. Recovery of these leg-

islative prerogatives will be extremely difficult, if not impossible.

We often hear the statement, "The bureaus are running the Government." Well, Mr. President, we, the Congress, by passing the Reorganization Act so hastily and without due consideration, have voluntarily given to the Government bureaus more power, prestige, and influence than they have ever heretofore enjoyed.

Senate Resolution 147 resolves that the Senate does not favor Reorganization Plan No. 1, transmitted to Congress by the President on June 20, 1949.

It has long been a practice, and an intelligent practice—I think one could say it has always been the policy—that the Senate follows and approves the actions of its committees. Because of the far-reaching effects of the proposed reorganization of the executive branch of the Government, plan No. 1 and Senate Resolution 147 were given most careful, thorough, and painstaking consideration and study. The committee reported favorably Senate Resolution 147 by a vote of 7 to 4, one of the minority reserving the right to vote with the majority when the resolution came before the Senate.

Some 16 or 18 witnesses testified, witnesses who were in close touch with the subject and thoroughly informed, and who have the greatest interest in plan No. 1. About 30 statements were submitted for committee consideration. At the close of the hearings 1,498 letters, telegrams, and statements had been received by the committee. Several hundred have since been received. Of the 1,498, in round numbers 1,500, 1,404 expressed opposition to the plan and urged favorable action on Senate Resolution 147. Only 94 supported the plan. In other words, of those having a direct interest in the plan, there were 15 opposed to 1 who favored it, and of the 1,500 opposing plan No. 1, almost all favored an independent health agency as recommended by the Hoover Commission.

Mr. President, with only isolated exceptions, 189,000 doctors of the United States oppose plan No. 1; 189,000 doctors, the best trained, most skillful doctors in all the world at any time in all the world's history, doctors who have made this Nation the healthiest of all nations. Our death rate is the lowest. Our life expectancy has risen from 35 years, when we established our Government, to 67 years—the longest life expectancy of any people on the face of the earth. Our workingmen lose from illness an average of only 8 days a year, as compared to 28 days only 49 years ago, at the turn of the century. That is approximately one-half the days lost from work a year because of illness in England and other countries.

Mr. President, these men who have made America the healthiest nation in all the history of the world, these men who know whereof they speak, oppose Reorganization Plan No. 1. Seventy thousand dentists of the United States oppose this plan, and 480,000 nurses oppose it. The hospital association opposes the plan, and 34,000 retail druggists oppose it. This opposition comes from

highly intelligent, good, loyal American citizens. It comes from every State in the Union and from all sections of every State, from the crossroads and up the fork of the creek, as well as from our larger cities. Surely there must be, and there are, good and sufficient reasons for this opposition.

The health services of the United States, as expressed through the doctors, dentists, nurses, hospitals, and druggists are of the opinion that if the Government health agency is submerged within a multipurpose department, the health functions would be impeded by considerations pertaining to the other functions of welfare and education in the Department. They feel and they fear—and I share their fear and their thinking—that health and education will be dominated by the welfare idea, welfare thinking, and social-security planning. I might say that is the situation to some extent, at the present time, even though the authority of the present Federal Security Administrator is quite limited as compared with the authority and power which would be vested in the Secretary in event Reorganization Plan No. 1 should be approved.

The health of the people of the United States is so important that appropriations for administration of health services should be clearly identified as such and not associated with or confused with appropriations for administration for social security, welfare, or other social programs.

Mr. President, the supreme medical importance of the position of Surgeon General or Director General of health services of the United States should command, irrespective of all other considerations, the ablest medical and health administrator who can be secured. It is very doubtful that a medically trained person of such qualifications would be available to accept such a responsibility under a lay Secretary, lay administrators, and lay policy-makers. No, Mr. President; the health services of our country should be under competent, qualified medical supervision, as recommended in the Hoover report. Health is such a highly developed, positive specialty, that it should not be considered a subsidiary of, or of secondary importance to, social security and welfare.

Efficiency in the Government's numerous health activities can be greatly enhanced by their close correlation and concentration under a professionally trained administrator.

My mail and telegrams decry and bitterly assail the plan to place vital health matters, including the assaying of drugs, under the control of nonprofessional and political domination, under a Secretary of Welfare, uneducated in the scientific fields he is directed to administer.

The attitude of the present Federal Security Agency and of the Federal Security Administrator, as expressed in his advocacy of socialized medicine, has discouraged to this date many fine young men from entering medical college and subsequently becoming members of the medical profession.

The present Administrator, who, without a doubt, will become Secretary of Welfare if this plan be adopted, who testified in favor of plan No. 1, stated that he would in no way relent—let me repeat that—he would in no way relent his advocacy of a proposed compulsory health program. Yet we have heard today in the debate that socialized medicine is not the issue. I say it is the issue, for, if the Social Security Administrator may become the Director of Welfare, with the prestige of a Cabinet position back of him with thousands upon thousands of employees he will have an opportunity to infiltrate through educational avenues, through health avenues, and through welfare avenues; he will have a source of propaganda unequalled in any other agency in the United States Government at any time in the history of the Nation.

Under the presently existing Federal Security Agency the Administrator does not have authority to delegate functions of agencies under him. He can merely supervise and direct. The question was asked on the floor of the Senate what changes will take place if plan No. 1 shall be adopted. The specific plan sets forth—

The VICE PRESIDENT. The Senator has less than a minute left.

Mr. HUNT. The specific plan sets forth that the Secretary of Welfare is authorized to delegate to any officer or employee or to any bureau or any other organization such of his functions, and so forth. Today the law is that the Surgeon General and the Commissioner of Education may delegate all functions, all the authority, all the power now vested in them, respectively.

The VICE PRESIDENT. The time of the Senator has expired. The Senator from Arkansas has 2 minutes remaining.

Mr. McCLELLAN. Mr. President, I yield that time to the Senator from Wyoming.

Mr. HUNT. Mr. President, the proposed plan No. 1 involves such a large group of persons, such a tremendous appropriation, such great numbers of personnel, that I think only ineffective administration can possibly follow. Four of the largest departments of the Government would pass to its jurisdiction.

On the State level these three services are separate and distinct. We shall meet with refusal by the State departments when attempts are made to bring them into one organization.

Congress has already made great strides toward reorganization. The passage of the Unification Act was a milestone, and it will accomplish more with reference to the saving of money to the taxpayers than all the rest of the plans put together.

Mr. President, this plan is not actually plan No. 1. It is actually plan No. 8. It appears to me that without a question of doubt at least six of the reorganization plans will be looked upon favorably by the Congress. One, or possibly two, may be disapproved. That is a batting average of some 750 percent—and that is pretty good batting average in any man's league.

I say that by supporting Senate Resolution 147 we are not in any sense of the word acting against the Hoover recommendations.

Mr. McCLELLAN. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Aiken	Hendrickson	Millikin
Anderson	Hickenlooper	Morse
Chavez	Hill	Mundt
Douglas	Hoy	Murray
Downey	Holland	Myers
Ellender	Humphrey	Neely
Frear	Hunt	O'Connor
Graham	Ives	O'Mahoney
Green	Jenner	Pepper
Hayden	Johnson, Colo.	Robertson
	Johnson, Tex.	Russell
	Johnston, S. C.	Saltonstall
	Kefauver	Schoeppel
	Kem	Smith, Maine
	Kerr	Smith, N. J.
	Kilgore	Sparkman
	Knowland	Stennis
	Langer	Taft
	Lodge	Taylor
	Long	Thomas, Okla.
	Lucas	Thomas, Utah
	McCarran	Thye
	McCarthy	Tydings
	McClellan	Vandenberg
	McFarland	Watkins
	McKellar	Wherry
	Magnuson	Wiley
	Malone	Williams
	Martin	Withers
	Maybank	Young
	Miller	

The VICE PRESIDENT. A quorum is present. The question is on agreeing to Senate Resolution 147, a resolution disapproving Reorganization Plan No. 1. A yeas vote will be in disapproval of Reorganization Plan No. 1, a nay vote will in effect be in approval of Reorganization Plan No. 1. The Secretary will call the roll.

The Chief Clerk called the roll.

Mr. MYERS. I announce that the Senator from Rhode Island [Mr. McGrath] and the Senator from Connecticut [Mr. McMahon] are absent on public business.

On this vote the Senator from Rhode Island [Mr. McGrath] is paired with the Senator from Kansas [Mr. Reed]. If present and voting, the Senator from Rhode Island would vote "nay," and the Senator from Kansas would vote "yea."

Mr. SALTONSTALL. I announce that Senator from Kansas [Mr. Reed], who is absent by leave of the Senate, is paired with the Senator from Rhode Island [Mr. McGrath]. If present and voting, the Senator from Kansas would vote "yea," and the Senator from Rhode Island would vote "nay."

The Senator from New Hampshire [Mr. Tobey] is necessarily absent.

The result was—yeas 60, nays 32, as follows:

#### YEAS—60

Baldwin	Dulles	Hunt
Brewster	Eastland	Ives
Bricker	Ecton	Jenner
Bridges	Ferguson	Johnson, Colo.
Butler	Flanders	Johnston, S. C.
Byrd	Fulbright	Kem
Cain	George	Knowland
Capehart	Gillette	Long
Chapman	Gurney	McCarthy
Connally	Hendrickson	McClellan
Cordon	Hickenlooper	McKellar
Donnell	Hill	Malone

Martin	Russell	Thye
Maybank	Saltonstall	Tydings
Miller	Schoeppel	Vandenberg
Millikin	Smith, N. J.	Watkins
Morse	Sparkman	Wherry
Mundt	Stennis	Wiley
O'Connor	Taft	Williams
Robertson	Thomas, Okla.	Young

#### NAYS—32

Aiken	Holland	Magnuson
Anderson	Humphrey	Murray
Chavez	Johnson, Tex.	Myers
Douglas	Kefauver	Neely
Downey	Kerr	O'Mahoney
Ellender	Kilgore	Pepper
Frear	Langer	Smith, Maine
Graham	Lodge	Taylor
Green	Lucas	Thomas, Utah
Hayden	McCarran	Withers
Hoy	McFarland	

#### NOT VOTING—4

McGrath	Reed	Tobey
McMahon		

The VICE PRESIDENT. On this question the yeas are 60, the nays are 32. A majority of the qualified Members of the Senate, as required by the Reorganization Act, having voted in the affirmative, the resolution of disapproval is agreed to.

Mr. FREAR subsequently said: Mr. President, I ask unanimous consent to have printed in the body of the Record at the appropriate place remarks which I had intended to make on Senate Resolution 147.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Mr. President, I would like to associate myself with the remarks made by the distinguished junior Senator from Maine. It is my feeling that this reorganization plan is a long step forward in the right direction. It does not, in my opinion mean that we are to have socialized medicine, which I definitely oppose. In that connection I refer to the testimony of the Federal Security Administrator before the Committee on Expenditures. This very question was asked of Mr. Ewing by the distinguished Senator from Maryland, Mr. O'Connor. I quote from the testimony which appears on page 124:

"Senator O'Connor. You have been the Administrator with the Public Health Service under your supervision and direction for a few years. In your considered judgment would this plan, if adopted, be a step nearer to socialized medicine in the United States, or not?"

"Mr. Ewing. I give you my word, I do not think it has the slightest bearing on it. I think it unfortunate that here on a matter of governmental organization, a matter of programing has been brought into the picture. The question of whether or not there will be national health insurance will be decided by the Congress."

The distinguished Senator from Maryland further asked Mr. Ewing whether or not the powers which would be vested in the new Secretary of Welfare, if and when the plan was adopted, would make it possible for him to effect socialized medicine in the United States.

Mr. Ewing replied in these words, "Absolutely no. There is not the remotest thought of such a thing by those of us who are advocating this plan."

Mr. President, I should also like to re-emphasize that the approval of a Secretary of Welfare will rest with the Senate who may accept or reject whatever nomination is submitted to this body.

We should further realize that the plan does conform in a large measure to the Hoover Commission's recommendations.



We will not achieve the perfect ideal to start with, but adoption of this plan will, I feel certain, give us impetus along the right road.

#### THE PROPOSED DEPARTMENT OF WELFARE

Mrs. SMITH of Maine subsequently said: Mr. President, I submit for the RECORD the Gallup poll on the proposal for creation of a new Department of Welfare, showing that a majority of American voters favor this proposal. It reads as follows:

#### THE GALLUP POLL—PLAN FOR WELFARE DEPARTMENT GIVEN MAJORITY VOTER SUPPORT

(By George Gallup, director, American Institute of Public Opinion)

PRINCETON, N. J., August 11.—President Truman's plan to create a Federal Department of Welfare headed by a Cabinet member has a good deal of popular appeal throughout the country.

Creation of such a department was one of the recommendations made by the special commission headed by former President Herbert Hoover for reorganization of Government operations. Last week a Senate committee held public hearings on the plan, but turned in an adverse report to the Senate. A fight over the measure is expected on the Senate floor.

Opinion among a representative cross-section of voters in all the 48 States was sounded on the plan in the following survey by the American Institute of Public Opinion:

"It has been suggested that a Secretary (in the President's Cabinet) be appointed to head a new Department of Public Welfare in Washington which would include such things as social security, public health, and education. Do you approve or disapprove of this?"

The vote:

	Percent
Approve.....	54
Disapprove.....	26
No opinion.....	20

A fairly sharp division of sentiment along party lines was found in the survey. A substantial majority of persons who voted for Mr. Truman last November expressed favorable opinions on the creation of a welfare department.

Among Republicans, sentiment was much more closely divided, as follows:

	Truman voters	Dewey voters
	Percent	Percent
Approve.....	61	45
Disapprove.....	20	38
No opinion.....	19	17

At the Senate committee hearings last week a sharp debate was touched off when Oscar Ewing, Federal Security Administrator, charged that rejection of the welfare plan would "repudiate President Hoover and all the work of his Commission."

This poll indicates that the American public read and took seriously the statement of former President Herbert Hoover when he appeared before my Committee on Expenditures in the Executive Departments, and stated, on June 30 of this year:

Mr. HOOVER. I am very glad to respond to your invitation to discuss these questions with the committee, and I can do so I think very shortly.

I wish to say at once that the seven plans are all steps on the road to better organization of the administrative branch. They are, insofar as they go, substantially in accord with the recommendations of the Commission on Organization of the Executive Branch of the Government.

The difficulty with this subject is that the President's authority under the Reorganiza-

tion Act of 1949 is very limited. In most of these seven cases the full accomplishment of reorganization as recommended by the Commission requires also extensive and specific special legislative action, one that goes beyond the President's authority under this act. Either most of the seven plans must be regarded as simply preliminary steps, or must be absorbed, now or later, in full legislation if we are to effect the efficiencies and economies sought by the Commission.

Mr. HUMPHREY subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD a statement by myself pertaining to the reorganization plan.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. President, I have listened with great interest to this debate on Senate Resolution 147 and on the proposal to create a Department of Welfare.

I am in complete agreement with those who contend that the establishment of such a department, as urged by the President, is necessary for the more efficient operation of our Government, and that it follows the basic philosophy and recommendations of the Hoover report.

I am in complete agreement with those who insist that the adoption of the proposal will not limit in any way our freedom to take subsequent action affecting the status of the Public Health Service.

And I resent bitterly the misdirected efforts of a \$3,500,000 lobby to defeat this first reorganization plan. This issue has nothing to do with health insurance.

I am also concerned, however, with another factor which so far as been touched upon only in passing. It seems to me that it transcends all of the other questions which have been raised in this debate.

Involved in this controversy, but not immediately a part of it, is a much larger issue, which boils down to the simple question: Which side of the fence are we on?

Do we favor measures to promote the welfare of the people of this country? Or are we against measures to promote the welfare of the people of this country?

I am using the term "welfare" deliberately, for the very word itself acquired a political significance that far overshadows its actual definition. And without question, the fact that the new department is to be called a Department of Welfare lends an intensity to this debate which might otherwise be lacking.

The dictionary defines welfare as "state of faring, or doing well; especially condition of health, prosperity, etc.; negatively, exemption from evil or calamity."

It is unfortunate, of course, that in the minds of many people the word has become associated with the various community social services to aid the poor and the helpless—a wholly restricted meaning which carries with it the aura of charity. But this, certainly, is not welfare as we understand the word. Even in this restricted sense, however, it displays a deplorable lack of social conscience and understanding to argue that health is not or should not be involved in "welfare."

But it is far more unfortunate, I think, that in recent years another and wholly different meaning has become attached to the word. For on the tightening battle front between the Tory conception of government and the Liberal conception of government we have begun to hear a great deal about the so-called welfare state.

The reactionaries have seized on this phrase to express their contempt and scorn for all progressive social legislation. Or perhaps, it would be more accurate to say, their fear of all progressive social legislation. Yet why they should fear it, except out of blindness, I am at a loss to understand, because

this kind of legislation, if wisely drawn, is the only hope we have of preserving the system of free private enterprise—and I am in dead earnest about that.

"Welfare state."

The Senator from Minnesota called it political semantics. That is exactly what it is. The phrase is spoken with a curl of the lips, a sneer, a hint of terror, as if "welfare" were a synonym for "police." It is repeated in the same way, with the same inflection and the same sinister insinuation, time after time. And finally, those who themselves conceived the phrase as a means of smearing policies and programs which they know the people want, come to believe the implications they read into it, and even to attribute the phrase itself to us.

But let us not be deceived as to their intentions. Let us not be influenced by semantics. This is the same battle that has been fought in this country ever since it was said, in the preamble to the Constitution, that one of the major purposes of this Government was to "promote the general welfare." Every time, almost without exception, that an attempt has been made to apply that purpose to the people at large and not simply to the rich and the well-entrenched, the same cry has been raised by the same kind of people. Only the phrase change.

The phrase "welfare state" is comparatively new. But the tone of voice is always the same, the purpose is always the same, the philosophy is always the same. Throughout our history, any project of government which involved the spending of the people's money in the interest of the people has called forth the same thunder and the same forked lightning.

Let me read you an excerpt, Mr. President, from a speech by a former high-ranking Government official, Hugh Legaré, Secretary of State under J. Q. Adams—a former Secretary of State—which I think you will agree has a familiar, disturbing ring.

"The Government," this gentleman says, "has been fundamentally altered \* \* \* instead of confining itself in times of peace to the diplomatic and commercial relations of the country, it is seeking out employment for itself, by interfering with the domestic concerns of society, and threatens in the course of a very few years to control in the most offensive and despotic manner all the pursuits, the interests, the opinions, and the conduct of men."

This gentleman, was a speech delivered in 1828, in an attack against President John Quincy Adams of the Massachusetts Adamses. And his crime was that he had proposed an extensive program of internal improvements for the country, to be financed by the Government out of the sale of public lands. If the term "welfare state" had been in existence it certainly would have been included in that speech.

As for myself, every instinct calls for resentment against this deliberate twisting and distortion of the simple and homely word "welfare," and the implied assumption that anything connected with it is leading this Nation down the road to statism or socialism.

In considering the basic intent and purpose of this proposed Department of Welfare we can well turn to the Constitution of this Nation and read, once again, the phraseology of its magnificent preamble:

"We, the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

Let me repeat that phrase—the phrase which introduced a brand new light into a world of tyranny and darkness: "To promote the general welfare and to secure the blessings of liberty for ourselves and for our posterity."

Certainly when those words were first put on paper their significance was revolutionary.

The Kings and Czars and Emperors in Europe who read them may well have feared their impact on their own people. They did fear it, and they trembled. For they knew that any real intent to promote the general welfare of a people could lead down one road only—the road to democracy.

And that was precisely the road our forefathers had taken. It is the road we are still following, and I, for one, hope we never turn back.

Since the establishment of the Nation in 1789, the organization of this Government has, by definition, been a welfare state—that is, a state in which the broad interests of the people were considered rather than the narrow interests of their rulers or of any ruling class. And the growth and development of that idea is the heart and soul of this Nation's history. It has always involved a struggle between the people and the would-be aristocracy, the Tories.

Alexander Hamilton, that arch conservative, was the first to proclaim the right of Government to take action under this general welfare clause of the Constitution. The National Bank, conceived by him and established by Congress in 1791, was deemed to be a legitimate means for the promotion of the general welfare. This was supported by the Tories, for it was helpful to them.

The proposal advanced by John Quincy Adams, which I have already mentioned, also was justified under the general-welfare clause. So was the establishment of the forerunner of the same Public Health Service which we are now told would be desecrated by mere association with the word, or even the idea of "welfare." That, Mr. President, was in 1798. And its establishment was bitterly fought at that time by the same kind of people and with the same kind of specious arguments that we hear today in opposition to Reorganization Plan No. 1. The Tories saw no advantage in it for them, but only an extra expense.

In the 1850's the construction of our western railroads became a vital necessity for the economic development of the Nation. And Congress set aside some 180,000,000 acres of public lands as a subsidy for this construction—again in the name of the general welfare. In this form, the Tories dearly loved the welfare state.

During Lincoln's administration, the Homestead Act of 1862 and subsequent legislation provided for the free distribution of over 200,000,000 acres of public lands to aid in the settling of the West. But it was also, in many respects, a relief measure, sponsored by Government—a sort of glorified WPA. For its immediate purpose was to give hundreds of thousands of eastern farmers and workers, who were being squeezed by economic forces beyond their control, a chance to stand on their own two feet and make their own way in life under more favorable circumstances. This, too, in the name of the general welfare. Even the Tories did not mind very much, because land was plentiful. Besides, they got all of it they could handle.

The principle of land grants to support education, which was first promulgated by Jefferson in 1789, was widely applied during this period and became the basic factor in the establishment of our free public school system. This the Tories violently protested, and the reverberations of the charges of socialism which were launched against this project are still heard in our present-day debate over Federal aid to education.

Following the Civil War, the emphasis shifted. The immediate focus was on the protection and development of the Nation's industries. Every tariff law passed in the following decades was based on the general-welfare clause of the Constitution. The Tories loved this so much they almost made

it a political religion. Socialism? Oh, my, no. This was for the general welfare. This was to protect the workingman. Cynics may contend that it was more for the general welfare of big business. But no reasonable man can deny, in spite of all the excesses and hypocrisies it bred, that the high tariff probably did encourage the tremendous expansion of business and industry which occurred during this period, that it did lay the foundations of our present national strength, and, in that sense, that it did promote the general welfare. I look with a jaundiced eye, however, upon the Tories' pious protestations of concern, in this connection, for any welfare but their own.

Around the turn of the century it became oppressively clear that the welfare of big business was getting out of hand, and that the excesses of private power—of the malefactors of great wealth—had become a definite threat to the general welfare.

The era of trust-busting which followed dramatized this fact. But far more effective was the policy of Government regulation of the railroads, the utilities, and other forms of monopoly, a policy initiated at about the same time and carried through by succeeding administrations, both Republican and Democratic. The welfare state was growing up, stepping in to protect the interests of the individual citizen and to safeguard the competitive position of the small-business man. Here, the Tories were divided among themselves. The extremely reactionary resisted bitterly; the merely conservative approved. The general public applauded.

During this same general period—the latter half of the nineteenth century and the early part of the twentieth—Government at various levels stepped in to promote the general welfare by establishing workmen's compensation systems and local and State health departments, by providing free vaccinations against diphtheria and other communicable diseases, and in many other ways. The Tories always protested. Specifically, every one of these progressive moves was attacked bitterly and battled every step of the way by organized medicine. This controversy today, Mr. President, is nothing new. It is an old, old story.

Even so cursory a summary indicates what a potent force the general welfare clause has been in the peaceful progress of our country along the road to democracy. Each generation has interpreted the clause according to its own needs, to meet its own peculiar problems. The establishment of a Department of Agriculture, a Department of the Interior, a Department of Commerce, and a Department of Labor, the beginnings we have made in providing public health and social welfare services, all have come in response to definite and concrete needs of the people. And all of these functions of Government have contributed, and contribute today, to the general welfare of the people of the United States whose Government this is.

Always, however, in spite of partisan strife and sometimes exceedingly bitter controversy over its interpretation, the phrase to promote the general welfare has always retained its unique American meaning. Until just recently—I think within the last year, if I am not mistaken—no responsible American has ever attempted to tarnish it, to twist and distort it, to give it an un-American connotation.

In all of our history, the phrase has never been employed as an excuse to regiment the people or to extend the authority of Government over their lives, in the sense that this is done in totalitarian countries. Every American knows this. The emphasis has always been upon measures to help the businessman, the farmer, the worker, or just plain John Citizen, to stand on his own two feet in dignity and in freedom and to grapple more effectively with his own problems. Our farm legislation, our labor legislation, our

legislation on matters of business and industry, all has been debated, fought over, and passed with this end in view. We have disagreed. We have made mistakes. But the purpose has always been to oil the machinery of what is essentially the American way of life—individual freedom and equality of opportunity in an expanding and improving democratic society.

During the past two decades we have had once again to interpret this clause of the Constitution in terms of our own generation, to meet our own needs, to solve our own problems.

No disaster, save war, struck so hard at the Nation as did the great debacle of 1929 and the subsequent depression of the early thirties. Almost overnight we saw our entire economic structure fall apart, and the Nation-wide tragedy of mass unemployment and mass misery is still fresh in the minds of all those who suffered by it, and all those who understood it.

Government moved to take drastic action under the general welfare clause. It was the establishment of the Reconstruction Finance Corporation by President Hoover, in an effort to save the large banks and financial institutions, which first set the process in motion. And all subsequent steps taken by the Roosevelt administration to start the wheels of industry turning again had this same source of authority.

But out of the hunger, misery, and fear engendered by this disaster emerged, by the very force of circumstances, a new and more significant understanding of the problem of the general welfare. And it took shape in the concept of the responsibility of government for the basic well-being of the individual.

I believe it is overwhelmingly clear that this responsibility must be met by government in our time, or that "government of the people, by the people, and for the people" will, despite all our hopes and dreams, "perish from the earth."

This responsibility, Mr. President, can be met in either of two ways, but there is no third alternative.

It can be met as we are now meeting the problem of unemployment, disability, and old age. Because we refuse to expand our system of social insurance sufficiently to enable our people to provide for themselves out of their own production while they are on the job, we have been forced to increase payments for relief out of general taxation until the dole is now much greater by far than the benefits of social insurance. By this means, we are hastening the day when the dole will be demanded and accepted by all as a charge against the general revenues. That, Mr. President, I deplore and fear.

In the same way, we can meet this responsibility as we are today in the field of medical care, providing State medicine out of general taxes for more and more of the population instead of making it possible, through social insurance, for the people to pay their own private physicians and their own private hospitals. This, too, I deplore and fear. For this, Mr. President, is real, honest-to-God socialism, and I do not believe that democracy and freedom can long survive under socialism.

These are the two alternatives: To provide for the needs of the people directly out of the Public Treasury, or to make it possible for the people to provide for themselves. I repeat, there is no other alternative.

The various welfare programs now administered by the Federal Security Agency in the fields of health, education, and social security, are all efforts on the part of Government to meet this cardinal responsibility. We may, and often do, disagree about what we should do in these fields and how we should do it, and whether they are all a part of the same general field or separate and distinct. We shall always have such disagreements,



and they are healthy. But it is not only unhealthy, but decidedly dangerous, Mr. President, for those who oppose these programs to seek to discredit them and their advocates by the reckless use of inflammatory phrases. The problem we face is far too serious to be dealt with by a play on words, by sloganizing.

I am firmly convinced that democracy and private enterprise go hand in hand, that neither can last for long without the other.

I am equally convinced that neither democracy nor private enterprise can survive in any country where the basic needs of a large proportion of the people are left unmet for any considerable period of time. They will be met, Mr. President. Let no one be deceived about that.

Our task is to see that they are met now, within the framework of our free, democratic system of private enterprise, and not to permit that system to be destroyed because of our failure to face this fundamental problem and solve it.

I have all respect for those who believe otherwise, but I am convinced that we are on the right track with programs of health, education, and social insurance on which we have embarked with such hesitant trepidation. What we have done already in these fields, pitifully limited though it is, prevented the complete collapse of our system once and might prevent another and more serious collapse.

What are these programs, Mr. President, to which some refer with such derision and denounce with such bitter venom?

For one thing, we have seen, in the last decade and a half, the establishment of a Nation-wide system of social insurance. It is tragically inadequate because the Congress has refused to improve and expand it. But it helps to protect millions of workers and their wives against the hazards of old age, and provides for widows and children in the event of the death of the family breadwinner. Is this subversive?

We have seen the establishment of a Nation-wide system of job insurance which helps protect the worker against the hazards of unemployment. Is this sinister?

We have seen the establishment of a system of relief, or public assistance, to provide the bare necessities of life to dependent children, the needy aged, and the blind. Is this socialistic?

We have witnessed the development of our Public Health Service to a point where it has become one of the most powerful weapons we possess in the struggle against sickness and disease. Is this to be decried?

We have seen the notable work the Children's Bureau has done in helping to care for mothers and babies and crippled children. Is this dangerous?

We have seen the inauguration of a vitally important Federal-State program for the control of cancer, tuberculosis, venereal, heart, dental, neurological and mental diseases, and other ills of mankind. Is this deplorable?

We have witnessed a tremendous development in the field of medical research, sponsored by Government, which has already proved of inestimable value to our own generation. Shall we denounce this?

On still another front, we have seen the Office of Education grow steadily in stature and influence as it seeks to help the States in their constant effort to improve our public school system. Is this communistic?

Beyond this, we have seen the scope of our vocational rehabilitation efforts increase with each passing year. The protection afforded the people of this Nation, through the administration of the Food, Drug and Cosmetic Act, has taken on greater and greater significance. And in many other related areas of activity there has been tremendous progress.

All these services, now under the jurisdiction of the Federal Security Agency, play

a vitally important role in the preservation of our uniquely American way of life. Their purpose is to promote the general welfare.

I, for one, am in favor of the programs the Department of Welfare is designed to administer. I am for their extension to meet the responsibility I feel we must meet if our system is to be preserved for our children. I am always willing to debate these questions and, if it comes to that, to accept defeat as gracefully as possible. I believe in the ultimate wisdom of the people and their Congress.

But even if I opposed these programs and believed they should be eliminated, I would still be in favor of Reorganization Plan No. 1. Whether or not Government is doing what I believe it should do, I still believe it should do whatever it does as efficiently and economically as possible. That, to my mind, is the sole purpose of this reorganization plan, and will be its only effect.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Kent, its enrolling clerk, announced that the House had passed, without amendment, the following bills of the Senate:

S. 555. An act for the relief of Eiko Nakamura;

S. 622. An act for the relief of Isaiah Johnson;

S. 787. An act for the relief of William (Vasilios) Kotsakis;

S. 1026. An act for the relief of Roman Szymanski and Anastosia Szymanski; and

S. 2170. An act for the relief of W. P. Bartel.

The message also announced that the House insisted upon its amendments to the bill (S. 1008) to define the application of the Federal Trade Commission Act and the Clayton Act to certain pricing practices, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CELLER, Mr. WALTER, Mr. WILLIS, Mr. MICHENER, and Mr. CASE of New Jersey were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 3440) for the addition of certain lands to Rocky Mountain National Park, Colo., and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 5086) to accord privileges of free importation to members of the armed forces of other nations.

#### TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service:

H. R. 5465. A bill to amend section 4 (e) of the Civil Service Retirement Act of May 29, 1930, as amended; without amendment (Rept. No. 926).

By Mr. McCLELLAN, from the Committee on Expenditures in the Executive Departments:

S. Res. 155. Resolution disapproving Reorganization Plan No. 7 of 1949; without recommendation (Rept. No. 927).

By Mr. HUNT, from the Committee on Armed Services:

S. 1390. A bill to authorize the conveyance to the State of California of easements for the construction, operation, and maintenance of a toll highway crossing and approaches thereto over and across lands of the United States in the vicinity of San Francisco Bay, Calif., and for other purposes; with amendments (Rept. No. 928).

#### ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, August 16, 1949, he presented to the President of the United States the enrolled joint resolution (S. J. Res. 79) authorizing Federal participation in the International Exposition for the Bicentennial of the Founding of Port-au-Prince, Republic of Haiti, 1949.

#### EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service:

Twenty-six postmasters.

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WILEY:

S. 2443. A bill for the relief of Mrs. Georgetown Ponsard; to the Committee on the Judiciary.

By Mr. KNOWLAND (for himself and Mr. DOWNER):

S. 2444. A bill to authorize an agreement between the United States and Mexico for the joint construction and operation and maintenance by the International Boundary and Water Commission, United States and Mexico, of a sanitation project for the cities of Clixico, Calif. and Mexicali, Lower California, Mexico; to the Committee on Foreign Relations.

By Mr. BREWSTER:

S. 2445. A bill to provide for the taxation of the income of foreign subsidiaries of American corporations; to the Committee on Finance.

#### MILITARY ASSISTANCE TO FOREIGN NATIONS—AMENDMENTS

Mr. SMITH of New Jersey submitted two amendments intended to be proposed by him to the bill (S. 2388) to promote the foreign policy and provide for the defense and general welfare of the United States by furnishing military assistance to foreign nations, which were referred to the Committees on Foreign Relations and Armed Services, jointly, and ordered to be printed.

#### HOUSE BILLS AND JOINT RESOLUTION REFERRED OR PLACED ON CALENDAR

The following bills and joint resolution were read twice by their titles and referred, or ordered to be placed on the calendar as indicated:

H. R. 210. An act to authorize the conveyance of a portion of the United States military reservation at Fort Schuyler, N. Y., to the State of New York for use as a maritime school, and for other purposes; and

H. J. Res. 230. Joint resolution authorizing the Secretary of the Navy to construct and the President of the United States to present to the people of St. Lawrence, Newfoundland, on behalf of the people of the United States, a hospital or dispensary for heroic services to the officers and men of the United States Navy; to the Committee on Armed Services.

H. R. 829. An act to authorize the Secretary of Agriculture to accept buildings and improvements constructed and affected by the Buffalo Rapids Farms Association on project lands in the Buffalo Rapids water conservation and utilization project and canceling certain indebtedness of the association, and for other purposes;

H. R. 2015. An act to authorize the Secretary of Agriculture to convey and exchange certain lands and improvements in Grand Rapids, Minn., for lands in the State of Minnesota, and for other purposes;

H. R. 4090. An act to extend the benefits of section 23 of the Bankhead-Jones Act to Puerto Rico;

H. R. 5512. An act to amend section 13 of the Federal Farm Loan Act, as amended;

H. R. 5601. An act to authorize the exchange of certain lands of the United States situated in Iosco County, Mich., for lands within the national forests of Michigan, and for other purposes;

H. R. 5679. An act to authorize the transfer of certain agricultural dry land and irrigation field stations to the States in which such stations are located, and for other purposes; and

H. R. 5839. An act to facilitate and simplify the work of the Forest Service, and for other purposes; to the Committee on Agriculture and Forestry.

H. R. 2166. An act to amend title 28, United States Code, section 456, so as to increase to \$15 per day the limit on subsistence expenses allowed to justices and judges while attending court or transacting official business at places other than their official station, and to authorize reimbursement for such travel by privately owned automobiles at a rate of not exceeding 7 cents per mile;

H. R. 5620. An act permitting the use, for public purposes, of certain land in Hot Springs, N. Mex.; and

H. R. 5670. An act authorizing transfer of land to the county of Bernalillo, State of New Mexico, for a hospital site; ordered to be placed on the calendar.

H. R. 2734. An act to amend an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (38 Stat. 730), as amended; and

H. R. 4692. An act to provide for the extension of the term of certain patents of persons who served in the military or naval forces of the United States during World War II; to the Committee on the Judiciary.

H. R. 4069. An act to reserve certain land on the public domain in Nevada for addition to the Summit Lake Indian Reservation;

H. R. 4231. An act to reserve certain land on the public domain in Utah for addition to the Goshute Indian Reservation;

H. R. 4509. An act to amend the act of February 25, 1920 (41 Stat. 452), and for other purposes;

H. R. 5097. An act for the administration of Indian livestock loans, and for other purposes;

H. R. 5098. An act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, business, and other purposes requiring the grant of long-term leases;

H. R. 5232. An act to amend the Road Act of May 26, 1928 (45 Stat. 750), authorizing appropriations for roads on Indian reservations;

H. R. 5390. An act to authorize the Secretary of the Interior to exchange certain Navajo tribal Indian land for certain Utah State land;

H. R. 5489. An act to ratify and confirm Act 251 of the Session Laws of Hawaii, 1949;

H. R. 5556. An act to make available for Indian use certain surplus property at the Wingate Ordnance Depot, New Mexico; and

H. R. 5764. An act to authorize the granting to the city of Los Angeles, Calif., of rights-of-way on, over, under, through, and across certain public lands; to the Committee on Interior and Insular Affairs.

H. R. 5731. An act to discharge a fiduciary obligation to Iran; to the Committee on Foreign Relations.

#### ADDRESS BY SENATOR MARTIN BEFORE ANNUAL CONVENTION OF THE AMERICAN LEGION, DEPARTMENT OF PENNSYLVANIA

[Mr. MARTIN asked and obtained leave to have printed in the RECORD an address delivered by him before the annual convention of the American Legion, Department of Pennsylvania, at Pittsburgh, Pa., on August 12, 1949, which appears in the Appendix.]

#### PENNSYLVANIA'S MINERALS—EDITORIAL FROM THE HARRISBURG NEWS

[Mr. MARTIN asked and obtained leave to have printed in the RECORD an editorial entitled "Pennsylvania's Minerals," published in the Harrisburg News, which appears in the Appendix.]

#### MERGER WITH THE UNITED KINGDOM—ARTICLE BY RAY CROMLEY

[Mr. WHERRY asked and obtained leave to have printed in the RECORD an article entitled "Merger With the United Kingdom?" by Ray Cromley, published in the Wall Street Journal for August 16, 1949, which appears in the Appendix.]

#### COMMENT ON SPEECH BY SENATOR NEELY AGAINST THE TAFT-HARTLEY LAW BY THE MONTGOMERY (ALA.) EXAMINER

[Mr. KILGORE asked and obtained leave to have printed in the RECORD an article entitled "Neely on Taft-Hartley," published in the Montgomery (Ala.) Examiner of August 11, 1949, which appears in the Appendix.]

#### DEMOCRATIC COMMITTEE TAKES ISSUE WITH POWER SUGGESTION—ARTICLE BY CHARLES LUCE

[Mr. MAGNUSON asked and obtained leave to have printed in the RECORD an article entitled "Democratic Committee Takes Issue With Power Suggestion," by Charles Luce, published in the Union-Bulletin of Walla Walla, Wash., for July 31, 1949, which appears in the Appendix.]

#### REORGANIZATION PLANS—ARTICLE BY MARQUIS CHILDS

[Mr. HUMPHREY asked and obtained leave to have printed in the RECORD excerpts from an article by Marquis Childs, published in the Washington Post of August 12, 1949, which appears in the Appendix.]

#### ATLANTIC UNION RESOLUTION

[Mr. KEFAUVER asked and obtained leave to have printed in the RECORD an editorial entitled "Into a Golden Future," published in the Daily Missoulian of Missoula, Mont., of July 27, 1949, which appears in the Appendix.]

#### THE AIR CORPS AND SECRETARY SYMINGTON—EDITORIAL FROM THE NASHVILLE TENNESSEAN

[Mr. KEFAUVER asked and obtained leave to have printed in the RECORD an editorial entitled "Blasted Rumors," dealing with the B-36, published in the Nashville Tennessean of August 14, 1949, which appears in the Appendix.]

#### THE POTATO SITUATION

[Mr. BREWSTER asked and obtained leave to have printed in the RECORD a statement prepared by him dealing with potatoes, which appears in the Appendix.]

#### LEAVE OF ABSENCE

Mr. AIKEN. Mr. President, I ask unanimous consent for leave of absence from the Senate from tomorrow until Wednesday of next week, to keep engagements made a long time ago.

The VICE PRESIDENT. Without objection, consent is granted.

#### RELIEF FOR STRICKEN ECUADOR

Mr. WILEY. Mr. President, I send to the desk a statement which I have prepared on the subject of relief aid to stricken Ecuador. I ask unanimous consent that it be printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

#### STATEMENT BY SENATOR WILEY ON ECUADORAN RELIEF

No one need be told about the terrible catastrophe which has visited the unfortunate people of Ecuador. We have read the news stories and seen the pictures of the appalling tragedy which took over 6,000 lives, injured tens of thousands, and made countless individuals and families homeless.

I have just returned from the Statler Hotel here in Washington where a press conference was held on the subject of soliciting American contributions for Ecuadoran relief. I was glad to join in this vital endeavor in order to show that we Americans don't just talk about Pan-American solidarity but that we really act.

I have appealed for funds to be contributed to Ecuadoran Relief, in care of the Pan-American Union, Washington 6, D. C. An information coordinator's office has already been set up at room 1017, Dupont Circle Building, under Mr. David Pollard.

We cannot pay too high tributes to the magnificent relief action which has been taken by various organizations already. The American Red Cross has once again demonstrated its always miraculous service abilities—to be on the spot right after disaster occurs with the items necessary to ease human suffering and pain, to prevent epidemics, to feed the hungry. The Pan American Union, the Institute of Inter-American Affairs, the Council of American Organizations, the United States State Department have all cooperated splendidly.

A national Ecuadoran Relief Council will be set up and will be composed of leading citizens of America whose integrity and selflessness in humanitarian endeavors are unimpeachable.

I append the text of three statements distributed at the conference which was just held, including the remarks of our Ambassador to Ecuador, Dr. Simmons, the able Ecuadoran Ambassador to Washington, His Excellency Augusto Dillion, and myself.

#### STATEMENT BY DR. JOHN F. SIMMONS, AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY

The people of the United States have been profoundly shocked by the terrible earthquake calamity suffered a few days ago by the friendly people of Ecuador. A whole region has been reduced to ruins. This region which I know so well is one of smiling valleys, picturesque towns, intensely cultivated farm land, and rugged Andes Mountains. It is the center of several thriving industries, and the heart of the fruit and vegetable growing section of the country. The shock felt by all of us on learning of the disaster was a very personal one for me.

I am speaking not only as American Ambassador to Ecuador, but also as an ardent admirer of that country where I have been living for two happy years. I speak likewise as a sincere friend of its president, Señor Galo Plaza Lasso, and of the kindly, industrious people of that small nation who, 14 months ago, chose him in an election representing the expressed will of a true democracy.

This catastrophe has stirred the hearts of the other American peoples who cherish warm friendship with the Ecuadoran people and esteem their high intellectual and cultural achievements. This is especially true of those who, like myself, have been privileged to enjoy the cordial hospitality of that beautiful Andean Republic.



In the United States, the prompt response has been immensely heartening. The American Red Cross did not lose a day, did not waste a minute. It has done an amazing job. Its entire organization moved into immediate action on receipt of the appalling news even before the full horror of the situation or the details as to casualties and homeless could be known.

Our United States Air Force planes have brought to the stricken area large quantities of desperately needed medical supplies, emergency communications, and sanitation equipment, blankets, and tents for the homeless. This American air lift carried in 42,000 tons of supplies and brought out hundreds of casualties during its first week of operation. Thanks to these efforts and to the help arriving from other sister republics, emergency relief needs have been promptly met. A magnificent emergency job has been done by Dr. Glenn Curtis, of California, in charge of our health and sanitation project in Ecuador. The Organization of American States and all the member countries of this hemisphere are planning long-term aid, as well, to restore Ecuador.

There was a fearful toll of death; a death which came to many with merciful swiftness; to others, helplessly trapped in the ruins of their homes or in churches with lingering suffering. It is hard to visualize the actual horror of what occurred. The earth seems literally to have opened and swallowed up some villages. Every house was destroyed in Pelileo, a friendly town of 3,500, enclosed by high mountains. Its citizens had recently opened in the town hall an Ecuadorian-American cultural center, an act of spontaneous friendship toward the United States. It had a library of books on the United States; photographs of George Washington and Abraham Lincoln. Several times I visited this center presided over by an Ecuadorian pharmacist devoted to the cause of inter-American friendship. Who knows if he and his little group are still alive? It would be a miracle if they escaped the disaster engulfing their town.

Ecuador is not a rich country nor a powerful one. But when the United States was attacked at Pearl Harbor, Ecuador immediately pledged and gave wholehearted aid to us. The little republic made available two bases for defense of the Panama Canal—one on the mainland, the other in the Galapagos Islands. In every other way in its power, Ecuador continued throughout the war to support the allied cause.

The devastated communities now face the onerous task of rehabilitation. Homes and farmsteads, water supply and power facilities, communications, schools, and churches were destroyed or damaged. The slow, costly work of repairing and rebuilding must be planned and executed. To assist the brave Ecuadorian people in this hour of need, I earnestly trust that we shall contribute generously to the Ecuador Relief Fund, care of Pan American Union, Washington, D. C.

STATEMENT OF AMBASSADOR AUGUSTO DILLON, OF  
ECUADOR

You have all read in the newspapers about the terrible catastrophe which has befallen Ecuador. The extent of the damage cannot be ascertained with certainty at the present time, and I think I cannot do better than to quote from the special message by President Galo Plaza to the Ecuadorian Congress: "Six thousand dead, one billion sucres, or roughly, sixty-seven million dollars, in material damage, and one hundred thousand people absolutely homeless. This is an unprecedented catastrophe in the history of Ecuador."

After burying the dead and caring for the injured, we are now engaged in Ecuador in providing shelter and clothes for these unfortunate people who, in a few seconds, not only lost their jobs and their homes, but also their worldly possessions.

One big phase of the catastrophe is dealt with. We now confront the task of reconstruction of devastated areas, in order to return to their previous standard of productivity. With the relatively scarce available resources of Ecuador, this seems like a gigantic task and almost beyond our means, but I am confident that, with the grit and determination which the Ecuadorian people have always shown in times of distress, the task, tremendous as it may seem, will, with the help of God, and after long and bitter struggle, be finally accomplished.

AN APPEAL FOR RELIEF AID TO ECUADOR  
(Statement by Senator ALEXANDER WILEY, of  
Wisconsin)

All of us remember the parable of the Good Samaritan. America has always applied the Samaritan principle—of helping unfortunate peoples to help themselves.

Now, a terrible disaster—in Ecuador—has touched you—my fellow Americans—has touched your heart deeply as it has mine.

Let us give generously as the Good Samaritan gave. Let us help house the homeless in Ecuador, feed the hungry, treat the sick, ease the suffering in this earthquake-ridden land.

When America was struck by disaster at Pearl Harbor, Ecuador sprang nobly to our aid. She voluntarily gave us bases for defense. Later, she gave us vital war materials. She has always been our good neighbor. Now, it is our turn to show our neighborliness and Pan-American solidarity.

Ecuador is not wealthy land. Whatever financial contribution you can give will be appreciated.

Send your dimes, your nickels, your dollars to the Ecuadorian Relief Section, Pan American Union, Washington, D. C.

We've aided Europe. Now, let's not forget our good friends in the Western Hemisphere. Let's ease this earthquake tragedy.

I know how many appeals you and I hear and read about. But this is urgent—my friends—desperately urgent.

So, folks, let's dig down into our pockets. America, as always, will not let a friend down in an hour of need.

It is still more blessed to give than to receive.

FEDERAL COOPERATIVE FOREST  
PROGRAMS

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 2296) to amend and supplement the act of June 7, 1924 (43 Stat. 653), and for other purposes; and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. THOMAS of Oklahoma. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. ELLENDER, Mr. HOLLAND, Mr. GILLETTE, Mr. AIKEN, and Mr. THYE conferees on the part of the Senate.

AMENDMENT OF COTTON AND WHEAT  
MARKETING QUOTA PROVISIONS OF  
AGRICULTURAL ADJUSTMENT ACT—  
CONFERENCE REPORT

Mr. THOMAS of Oklahoma. Mr. President, I submit a conference report on Senate bill 1962, to amend the cotton and wheat marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, and I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The report was read.

(For conference report, see House proceedings of Thursday, August 11, 1949, pp. 11376-11380.)

The VICE PRESIDENT. Is there objection to the present consideration of the conference report?

There being no objection, the report was considered and agreed to.

REORGANIZATION PLAN NO. 7—LETTER  
FROM DIRECTOR OF THE BUDGET AND  
OPINION OF THE ACTING ATTORNEY  
GENERAL

The VICE PRESIDENT. The Chair has received a letter from the Director of the Budget, Mr. Pace, accompanying an opinion by Acting Attorney General Peyton Ford, on Reorganization Plan No. 7. The Chair would like to have Mr. Pace's letter read, and asks unanimous consent that the opinion of the Acting Attorney General be printed in the RECORD, for the information of the Senate. The legislative clerk read as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,  
BUREAU OF THE BUDGET,  
Washington, D. C., August 16, 1949.  
Hon. ALBEN W. BARKLEY,  
President of the Senate,  
Washington, D. C.

MY DEAR MR. PRESIDENT: With reference to S. Res. 155 introduced by Senator HAYDEN on August 15, 1949, relative to Reorganization Plan No. 7, now under consideration in the Congress, I would like to advise you that under date of June 20, 1949, the President was advised by the Attorney General that Reorganization Plan No. 7 met with his approval as to form and legality and complied with the provisions of the Reorganization Act of 1949.

The President's attention was called to opposition to plan No. 7 on the grounds referred to in Senate Resolution 155 and he requested a further expression of views from the Department of Justice. In reply the Acting Attorney General transmitted to the President on August 13, 1949, a formal opinion reiterating the view of the Department of Justice that Reorganization Plan No. 7 was in every respect in compliance with the provisions of the Reorganization Act of 1949 and would become effective according to its terms.

With the approval of the President, I am transmitting herewith a copy of the opinion of the Acting Attorney General so that it may be available for consideration by the Congress. To this end may I respectfully request that the opinion be placed in the CONGRESSIONAL RECORD.

Sincerely yours,

FRANK PACE, JR.,  
Director.

There being no objection, the opinion was ordered to be printed in the RECORD, as follows:

AUGUST 13, 1949.

The President,  
The White House.

MY DEAR MR. PRESIDENT: You have asked my views as to whether the enactment of the Federal Property and Administrative Services Act of 1949, Public Law 152, Eighty-first Congress, approved June 30, 1949, has affected the validity or effectiveness of Reorganization Plan No. 7 of 1949.

The reorganization plan was transmitted to the Congress on June 20, 1949, pursuant to the provisions of the Reorganization Act of 1949 approved the same date. The plan, in brief, transfers the Public Roads Administration, together with its functions, from the

Federal Works Agency to the Department of Commerce. At the time the plan was submitted to the Congress, the bill which became the Federal Property and Administrative Services Act of 1949 had been passed by the House of Representatives, had been unanimously approved by the Senate Committee on Expenditures in the Executive Departments, and was awaiting final action on the floor of the Senate. That act transfers to the General Services Administration the functions of the Federal Works Agency, including "the Public Roads Administration, which shall hereafter be known as the Bureau of Public Roads." (Sec. 103 (a).)

In your message transmitting the plan, you adverted to the fact that the pending Federal property bill provided a different disposition of the Public Roads Administration from that provided in the plan. To carry out your intention that the Public Roads Administration should be in the Department of Commerce, you specifically provided in section 4 of the plan that, "The provisions of this reorganization plan shall become effective notwithstanding the status of the Public Roads Administration within the Federal Works Agency or within any other agency immediately prior to the effective date of this reorganization plan." The reasons for including this provision in the plan were stated in your message transmitting the plan, as follows:

"In establishing the General Services Administration the Federal Property and Administrative Services bill transfers to the Administration all of the functions and units of the Federal Works Agency. Part of these functions relating to the housing of the governmental establishment clearly fall within the purpose of such an administration. Certain other functions of the Federal Works Agency, however, bear very little real relation to the objectives of the General Services Administration. The congressional committees which have dealt with the bill have frankly indicated that further consideration must be given to the proper location of some of the programs of the Federal Works Agency. The sooner these unrelated programs can be removed from the new agency, the sooner it can concentrate its efforts upon improving administrative services throughout the executive branch and make the contribution to governmental efficiency for which it has been designed.

"Principal among the programs of the Federal Works Agency which are unrelated to the General Services Administration are those of the Public Roads Administration. This agency is primarily engaged in the administration of Federal grants to States for highway purposes rather than in the performance of services for other Federal agencies. Its functions, therefore, do not fall within the field of activities of the General Services Administration. Their inclusion cannot but complicate and impede the development of the General Services Administration in the performance of its intended purpose. This reorganization plan will eliminate such a difficulty.

"Since the Public Roads Administration will be transferred bodily from one major agency to another, it is not to be expected that this reorganization will directly result in any appreciable reduction in its expenditures at this time. However, the plan will make for better organization and direction of Federal programs relating to transportation. Assuming the early enactment of the Federal Property and Administrative Services bill, the plan will also materially simplify the development of the proposed General Services Administration and thereby facilitate improvements in the efficiency of administrative services throughout the Government."

Reorganization Plan No. 7 was thus drawn in contemplation of the fact that the Federal Property Act would probably be enacted at some stage during the 60-day waiting

period. After careful consideration in the Department of Justice as to compliance of the plan with every provision of the Reorganization Act of 1949, the plan was approved as to form and legality. It was and is the considered opinion of this department that the plan is valid and will take effect according to its terms.

It has been suggested, however, that plan No. 7 will not take effect upon the expiration of 60 days following its submission. After careful study, the Department of Justice remains of its previous opinion, i. e., that the plan is valid and will take effect.

The objection has been raised that during the 60-day waiting period the Federal Works Agency went out of existence, and therefore that the plan seeks to transfer from a non-existent agency, the Federal Works Agency, another non-existent agency, the Public Roads Administration.

The assumption appears to be that by reason of the abolition of the Federal Works Agency nothing remains upon which the President can exercise his power of reorganization. This assumption is untenable. The Reorganization Act of 1949, as was the case with previous reorganization acts, deals primarily with functions and only secondarily with the transfer or abolition of agencies. What is contemplated by Reorganization Plan No. 7 is the transfer of certain functions which at all times have remained in existence; functions which were not in their substance affected by the enactment of the Property Act of 1949. Plan No. 7 calls for the transfer of public roads functions to the Department of Commerce. That is a result which can actually and legally be achieved despite the enactment of the Federal Property Act.

A second objection to plan No. 7 which has been raised is based on an interpretation of the provisions of section 9 (a) (1) of the Reorganization Act of 1949 to the effect that that section was designed to anticipate the case where, following the submission of a reorganization plan, the Congress acted with respect to the agency or function affected in a manner inconsistent with the plan, and to make certain that in that situation the statute would have the same effect as if the reorganization had not been made. Obviously, however, this is a misconstruction of section 9 (a) (1). That section provides:

"Any statute enacted, and any regulation or other action made, prescribed, issued, granted, or performed in respect of or by any agency or function affected by a reorganization under the provisions of this act, before the effective date of such reorganization, shall, except to the extent rescinded, modified, superseded, or made inapplicable by or under authority of law or by the abolition of a function, have the same effect as if such reorganization had not been made; but where any such statute, regulation, or other action has vested the function in the agency from which it is removed under the plan, such function shall, insofar as it is to be exercised after the plan becomes effective, be considered as vested in the agency under which the function is placed by the plan."

Section 9 (a) (1) is clearly intended as a saving provision, designed to keep substantive authority and functions alive despite the fact that the power to exercise such authority or functions is transferred by reorganization plan. Compare, for example, section 305 (a) of the National Security Act of 1947.

It should be noted further that even if section 9 (a) (1) were to be interpreted as dealing with legislation passed between the time a plan is submitted and the time it becomes effective, the second clause of that section would in any event permit a reorganization plan to take effect where the intervening statute "has vested the function in the agency from which it is removed

under the plan." In other words, with reference to the situation presently presented by plan No. 7, the second clause of section 9 (a) (1) would, in substance, read as follows:

"Where any such statute [enacted before the effective date of a reorganization plan, i. e., in this instance the Federal Property and Administrative Services Act of 1949] \* \* \* has vested the function in the agency from which it is removed under the plan [i. e., the General Services Administration], such function shall, insofar as it is to be exercised after the plan becomes effective, be considered as vested in the agency [i. e., the Department of Commerce] under which the function is placed by the plan."

As stated above, plan No. 7 provides for the transfer of the public-roads functions to the Department of Commerce and specifically provides that the provisions of the plan shall become effective notwithstanding the status of the Public Roads Administration within the Federal Works Agency or within any other agency immediately prior to the effective date of the plan. In addition, as stated above, your message transmitting the plan clearly set forth the relationship of the plan to the pending Federal property bill and the intention of the plan to effect the transfer of public-roads functions to the Department of Commerce from the General Services Administration in the event the Federal property bill was enacted before the plan became effective.

Plan No. 7, and the message by which it was transmitted to the Congress, must, of course, be read together. Under the Reorganization Act of 1949 the President is required to prepare and transmit a message with respect to each reorganization plan submitted. The message transmitting the plan must be considered an integral part thereof. Reading plan No. 7 and the message together, there can be no question but that the plan transfers the public-roads functions from the General Services Administration to the Department of Commerce.

It has been noted that the second clause of section 9 (a) (1) of the Reorganization Act of 1949 affords strong support for the validity of Reorganization Plan No. 7. Moreover, no provision of the 1949 act has been or can be cited as directly forbidding the type of reorganization proposal which is contained in plan No. 7. The Reorganization Act of 1949 was intended to be a very broad grant of power to the Executive—much broader than had previously been granted by the Congress in the 1945 act. This was in fact requested in your message of January 17, 1949, in which you asked the Congress to pass legislation containing the necessary authority for broad reorganization of the executive branch.

S. 526, which became the Reorganization Act of 1949, was presented to the Senate by Senator McCLELLAN with the statement that it was designed to provide broader power to the President than had the 1945 act. Senator McCLELLAN caused to be printed in the CONGRESSIONAL RECORD a comparison of the provisions of the bill with the 1945 act (CONGRESSIONAL RECORD, January 17, 1949, pp. 301-305). From this comparison it appears that one of the principal changes effected by the 1949 act was the omission of section 5 (e) of the Reorganization Act of 1945, which imposed an important limitation upon the President's power to reorganize. Section 5 (e) of the 1945 act provided:

"If, since January 1, 1945, Congress has by law established the status of any agency in relation to other agencies or transferred any function to any agency, no reorganization plan shall provide for, and no reorganization under this act shall have the effect of, changing the status of such agency in relation to other agencies or of abolishing any such transferred function or providing for its



exercise by or under the supervision of any other agency."

This section in the 1945 act clearly restricted the power of the President to submit a plan which would have the effect of undoing recent congressional action, including congressional action taken between the time of submission of a reorganization plan and the time of its taking effect. Parenthetically it may be noted that the 1945 act also contained a section almost exactly similar to section 9 (a) (1) of the 1949 act—proving that that section could not have been intended to have the effect of interfering with the operation of a plan due to the passage of intervening legislation, as has been asserted, since the submission of a conflicting plan would have been forbidden under the 1945 act by section 5 (e).

The Reorganization Act of 1949 contains no such restriction upon the power of the President as was contained in section 5 (e) of the 1945 act. The fact that the Congress omitted this prohibition from the 1949 act is clear indication of its intention to leave the President free to reorganize the executive branch of the Government regardless of legislation enacted prior to the taking effect of a reorganization plan.

There can be no question, therefore, that the day after signing the Federal Property Act of 1949 you could have submitted a reorganization plan undoing the transfers effected by that act, and the Congress would then have had 60 days within which to consider whether or not to disapprove such a proposal. This being so, the only question raised in the present situation is whether the Reorganization Act of 1949 contains any restriction upon the authority of the President to reorganize the executive branch which would prevent his anticipating the passage of legislation then pending in the Congress and submitting a plan providing for the achievement of a particular transfer 60 days later regardless of the passage in the interim of the pending legislation having a different effect. An examination of the 1949 act discloses no such restriction.

To reach a result adverse to the effectiveness of Reorganization Plan No. 7 we would have to conclude that the action of the Congress in passing the Federal Property Act of 1949 in effect repealed the authority given to the President under the Reorganization Act. Implied repeals are, of course, not favored. Nor is there anything to indicate that such a repeal was intended by the Congress. Compare Public Law 216, Eighty-first Congress, approved August 10, 1949.

Reorganization Plan No. 7 was in fact pending before final action was taken by the Congress on the Federal Property Act. When you approved the Property Act you did so after having fully disclosed, in Reorganization Plan No. 7, your intention that the functions of the Public Roads Administration should ultimately be vested in the Department of Commerce. If the Congress disagrees with this result, it possesses power to express its views under the provisions of the Reorganization Act of 1949.

Respectfully yours,

PEYTON FORD,  
Acting Attorney General.

#### REORGANIZATION PLAN NO. 2

Mr. LUCAS. Mr. President, on yesterday and on a previous occasion the Senator from Illinois discussed Reorganization Plan 2, which has been reported adversely by the Committee on Expenditures in the Executive Departments. I advised the Senate that as soon as the Senate disposed of the resolution dealing with the Reorganization Plan No. 1, we would then proceed immediately to consider the resolution dealing with Reorganization Plan No. 2. It was the understanding on last evening that after

the Senate had voted today we would take a recess until tomorrow.

I have discussed the question of limitation of debate upon Reorganization Plan No. 2 with the Senator from Nebraska [Mr. WHERRY], the minority leader, and with other Senators. They have agreed that we can limit the time of debate to 4 o'clock by meeting tomorrow at 11 o'clock in the morning. I shall place a unanimous-consent request before the Senate, and I trust that all Senators will cooperate with me in this request.

Mr. President, I ask unanimous consent that on Wednesday, August 17, 1949, at the hour of 4 o'clock p. m., the Senate proceed to vote, without further debate, upon Senate Resolution 151 disapproving Reorganization Plan No. 2, the time to be equally divided between the distinguished Senator from Arkansas [Mr. McCLELLAN] and the distinguished Senator from Minnesota [Mr. HUMPHREY].

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. Mr. President, will the majority leader yield?

Mr. LUCAS. I yield.

Mr. WHERRY. Would the Senator from Illinois again restate the hour at which the vote is to be taken? It is very difficult to hear in this Chamber.

Mr. LUCAS. I regret that I did not speak more clearly. The request is that on Wednesday, August 17, 1949, at the hour of 4 o'clock, the Senate proceed to vote, without further debate, upon Senate Resolution 151.

Mr. McCLELLAN. Mr. President, reserving the right to object, and I shall not object if that time is generally satisfactory to other Senators. I will say that I know of no great number of Senators who desire to speak on Reorganization Plan No. 2. I wonder if we can enter into another unanimous consent that immediately after the vote is taken on Reorganization Plan No. 2, the Senate begin consideration of the resolution dealing with Reorganization Plan No. 7, Senate Resolution 155, disapproving of plan No. 7, and that a vote be taken, let us say, at 6:30 tomorrow, so we may dispose of both matters tomorrow. I merely make that suggestion. Does the Senator from Arizona [Mr. HAYDEN] agree to that suggestion?

Mr. HAYDEN. I do not believe more than 1 hour would be required to discuss Reorganization Plan No. 7. It involves purely a legal question. I believe it could be voted on 1 hour after the vote is completed on Reorganization Plan No. 2.

Mr. LUCAS. Mr. President, I should like to secure consent to the first unanimous-consent request if possible, and then I shall make the second request.

The VICE PRESIDENT. Is there objection to the unanimous-consent request made by the Senator from Illinois?

Mr. WHERRY. Mr. President, reserving the right to object, I thought that the hour of 4 o'clock would be satisfactory, and I informed the distinguished majority leader that I felt it would be agreeable. However, it has developed that 5 o'clock would be much better. I am wondering if it would involve too much inconvenience to change the hour to 5 o'clock.

Mr. LUCAS. If objection is to be made, the Senator from Illinois will have to accede to the hour of 5 o'clock.

Mr. WHERRY. I would like very much to have the Senator do so.

Mr. LUCAS. Let us make it 4:30. Perhaps that will accommodate some Senators.

Mr. WHERRY. Five o'clock is really the best time. I want to cooperate with the Senator. The Senator knows that.

Mr. LUCAS. The Senator has been very cooperative.

Mr. WHERRY. If the Senator will make the hour 5 o'clock, I know that it will be satisfactory to everyone.

Mr. LUCAS. Mr. President, I modify my request accordingly.

The VICE PRESIDENT. Is there objection to the modified request? The Chair hears none, and it is so ordered.

#### REORGANIZATION PLAN NO. 7 OF 1949

Mr. LUCAS. Mr. President, in view of the discussion in connection with the previous unanimous-consent request, I make another unanimous-consent request, as follows:

I ask unanimous consent that on Wednesday, August 17, 1949, 1 hour after the vote is taken upon Senate Resolution 151, the Senate then proceed to vote without further debate upon Senate Resolution No. 155, disapproving Reorganization Plan No. 7 of 1949, the time to be equally divided between the Senator from Arizona [Mr. HAYDEN] and the Senator from Arkansas [Mr. McCLELLAN].

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. Mr. President, the time was also divided in connection with the previous unanimous-consent request, was it not?

Mr. LUCAS. Yes.

The VICE PRESIDENT. The law provides for a division of the time.

Mr. WHERRY. I have no objection.

The VICE PRESIDENT. Is there objection to the request of the Senator from Illinois? The Chair hears none, and it is so ordered.

#### PROGRAM FOR CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. LUCAS. Mr. President, I make this announcement so that all Senators may know that following the vote upon the two reorganization plans, we expect to move to consider executive business and take up the nomination of Mr. Clark, who has been appointed Associate Justice of the Supreme Court, and the nomination of the Senator from Rhode Island [Mr. McGRATH], who has been appointed Attorney General.

Mr. WHERRY. Mr. President, will the distinguished majority leader tell us now whether or not he intends to keep the Senate in session after the Executive Calendar is taken up, until those nominations are disposed of, or whether he intends to take a recess until the next day?

Mr. LUCAS. I hope to be able to conclude consideration of the two nominations, if possible.

Mr. WHERRY. It will be 6 o'clock or after when the vote is taken on the resolution relating to Reorganization Plan No. 7.

Mr. LUCAS. I understand that the Senator from Michigan [Mr. FERGUSON] is the only Senator who intends to speak against Mr. Clark. May I inquire from the able Senator from Michigan how long he expects to discuss the nomination?

Mr. FERGUSON. About 2 hours.

Mr. WHERRY. In view of the fact that we will dispose of debate on the two resolutions, winding up at 6 o'clock, with a vote which will come after 6 o'clock, really, I ask the distinguished majority leader: if he does not feel it would be wise to take a recess until the next day.

Mr. LUCAS. I do not wish to say at this time. I should like to think over that suggestion. We have a great deal to do, and I think we should stay here tomorrow night for a couple of hours and complete the consideration of the nominations of Mr. Clark and Mr. McGrath. We may be able to take an hour for dinner. However, these are extremely important nominations.

Mr. WHERRY. One further observation. I agree with the distinguished majority leader. If that is the position he is going to take, if he will make the announcement that we shall have a recess from 6 until 7 for dinner, starting at 7 o'clock and finishing consideration of the nominations, that will be agreeable to us.

The VICE PRESIDENT. All the unanimous requests have thus far been agreed to.

Mr. LUCAS. Mr. President, in order that all Senators may know, I think it is probably the better part of wisdom to advise Senators now that we expect to proceed with the nominations of Mr. Clark and Mr. McGrath following the disposition of the resolution relating to Reorganization Plan No. 7, with respect to which we have an agreement. Unanimous consent will be requested tomorrow with respect to an hour for dinner.

Mr. MAGNUSON. Mr. President, will the Senator yield for a question?

Mr. LUCAS. I yield to the Senator from Washington.

Mr. MAGNUSON. On the Executive Calendar there are five treaties. Three of them relate to fisheries. The time is running out. They are very important. One of them is the tuna convention. Another is the treaty with Costa Rica. The fishing season is about to begin. I am wondering if tomorrow night, after consideration of the nominations has been completed, we could consider these treaties. I understand there will be no opposition to the three treaties to which I have referred.

Mr. LUCAS. If there is no opposition to them, we can put them through now.

Mr. MAGNUSON. I have heard of none. They are unanimously reported from the Committee on Foreign Relations. They have been on the calendar for some time, and time is running out.

Mr. KNOWLAND. Mr. President, I join with the Senator from Washington in urging that time be found for the consideration of the treaties to which he has referred. I understand that they have been unanimously reported from the Committee on Foreign Relations.

Mr. LUCAS. I think we can reach an agreement.

#### GEN. JOSEPH LAWTON COLLINS, UNITED STATES ARMY

Mr. ELLENDER. Mr. President, the nomination and confirmation of General J. Lawton Collins to be Chief of Staff of the Army is a fitting honor and reward for a great wartime fighting soldier. He is a worthy successor to those great Chiefs of Staff under whom World War II was fought and its tremendous postwar burdens borne.

There are, to my mind, three things that characterize the brilliant war record of this outstanding soldier. First, he was one of comparatively few who served in both the Pacific and European theaters of war. Prior to his participation in the seizure of Utah Beach in Normandy on D-day, June 6, 1944, he had served on Guadalcanal in the Solomon Islands of the Pacific, taking over from the heroic First Marine Division, and continuing the fighting until the power of the enemy on Guadalcanal was broken.

Second, as commander of the VII Corps, he led the striking spearhead of the First Army through Saint Lo to the capture of Aachen, the fighting in the Ardennes, and the final link-up with Russian forces on the Elbe River.

Third, although his fighting qualities of courage, speed, and determination have caused him to be known as "Lightning Joe" to the men he led, he at the same time exhibited those human qualities of leadership that endeared him to his men. It was not rarely, but frequently, that he visited his front lines to find out for himself the conditions his men were facing, and to give his men opportunity to see that he was always concerned for their interests.

I am proud to say that General Collins comes from Louisiana. He is the son of Jeremiah Bernard Collins, who was born in Ireland and settled in New Orleans in 1877. An uncle of General Collins was Peter Lawton, a prominent and beloved gentleman of that same city. Another uncle, the late Martin Behrman, was mayor of New Orleans. The people of Louisiana join me in congratulating him on his latest success, with the same enthusiasm with which they accorded him a hero's welcome in New Orleans, when in October 1945 they celebrated a Joseph Collins Day.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a biography of General Collins, compiled with the assistance of the Department of the Army.

There being no objection, the biography was ordered to be printed in the RECORD, as follows:

#### GEN. JOSEPH LAWTON COLLINS, UNITED STATES ARMY, O5247

J. Lawton Collins was born in New Orleans, La., on May 1, 1896. He was the tenth of 11 children, all of whom were born in New Orleans. His father, Jeremiah Bernard Collins, left County Cork, Ireland, at the age of 12 and settled in Cincinnati, Ohio. When still a mere boy, at the age of 16, he joined the Union Army, in which he served as a drummer boy for 6 months, until the end of the war. In 1877 he went to work in New Orleans, where he met and later married Catherine Lawton.

General Collins went to elementary and high school in New Orleans. It was at Warren Easton High School that he won a scholar-

ship to Louisiana State University, which he attended for 1 year prior to his entering West Point.

As a boy he gave early indications of the traits which were later to make him famous. He was well known for his physical and moral courage. Among his varied interests were good reading, nature, and music.

His interest in the military and his desire to go to West Point stemmed from his father and particularly from his brother, James Lawton Collins, who had graduated from West Point in 1907 and who, at this critical period of young Joseph's life, was serving as aide to General Pershing in the Philippines. When the family received word from the War Department that young Collins had been selected to enter West Point in the next class they wired this brother in the Philippines for advice. He recommended that his young brother of 17 accept the opportunity, which he did, entering the Academy in 1913 as the "baby" of his class. This brother, James, now retired, served 11 years with General Pershing and rose to the rank of major general.

His typical characteristics while at West Point are described in the Howitzer (year book) as first: Concentration and decision; second, rapid and hearty action. He was graduated from West Point and was commissioned a second lieutenant of infantry on April 20, 1917.

His first assignment was to the Twenty-second Infantry at Fort Hamilton, N. Y., where he served until January 1918. He next was sent to the infantry school of arms which was then at Fort Sill, Okla., and following graduation had tours of 2 months each at Greenpoint, Brooklyn, N. Y., and at Gloucester, N. J., until June 1918, when he returned to Fort Hamilton as supply officer of the Twenty-second Infantry. From July until November 1918, he was an inspector at Syracuse Recruit Camp, New York. Returning to the Twenty-second Infantry he served at Fort Hamilton and at Fort Jay, Governors Island, N. Y., until May 1919.

Promotions came rapidly during this initial period of service. He was promoted to first lieutenant on May 15, 1917; to captain (temporary) on August 5, 1917; and to major (temporary) on September 9, 1918. He sailed for France in May 1919, and commanded a battalion of the Eighteenth Infantry at Coblenz, Germany, until August 1919. With components of the Eighth Infantry he served at Montabaur and Selters, Germany, and in June 1920, was made Assistant Chief of Staff, Plans and Training Division, with the American forces in Germany, serving in this capacity until he sailed for the United States in July 1921. He was promoted to captain (permanent) on June 25, 1919, and reverted to that permanent rank on March 10, 1920. It was in Coblenz, Germany, that he married Gladys Easterbrook, the daughter of an Army chaplain, on July 15, 1921. They were married in the garden of the Kaiser.

For the next 4 years, until June 1925, he served at West Point as an instructor in chemistry. From there he went as a student to the infantry school, at Fort Benning, from which he was graduated in July 1926. Then to another school, this time the field artillery school at Fort Sill, Okla., where he was graduated from the advanced course in June 1927. He then returned to the infantry school as an instructor, where he remained until August 1931.

He was selected for and attended the 2-year course at the command and general staff school at Fort Leavenworth, Kans., from which he was graduated in June 1933. While at Leavenworth he received his promotion to major, on August 1, 1932.

Following graduation, he was transferred to the Philippine Islands for duty with the Twenty-third Brigade (Philippine Scouts) at Fort William McKinley. He later became Assistant Chief of Staff for Military Intelligence in the Philippine Division.



He returned to the United States in June 1936 to attend the Army Industrial College, from which he was graduated in 1937. Next he attended the Army War College. On his graduation in June 1938, he was retained there as an instructor. While there, he assumed additional duties in the Office of the Secretary, War Department, General Staff, Washington, D. C. A promotion to lieutenant colonel came on June 25, 1940, and one to colonel (temporary) on January 13, 1941.

In January 1941 he was assigned to duty as Chief of Staff of the newly organized VII Army Corps, which had its headquarters at Fort McClellan, Ala. The station of the Seventh Army Corps was changed to Birmingham, Ala., in January 1941.

Immediately following Pearl Harbor, General Collins was designated as Chief of Staff to General Delos C. Emmons and flew with him to Hawaii. As chief of staff he assisted in the reorganization of the defenses of the Hawaiian Islands until he was made commanding general of the Twenty-fifth Infantry Division in May 1942. He was rewarded with a brigadier general's star on February 14, 1942. He was further rewarded for his exceptional work during this period by the Distinguished Service Medal, with the following citation:

"J. Lawton Collins, major general, United States Army. For exceptionally meritorious service in a position of great responsibility. As Chief of Staff of the Hawaiian Department during the period December 17, 1941, to May 8, 1942, he revised and amplified the defensive plans of the entire Department and actively supervised the disposition of troops and changes in fortifications. Throughout this period he displayed outstanding leadership, keen intelligence, broad tactical knowledge and unusual energy and contributed greatly to the sound plan of ground defenses of the Hawaiian Department."

For the first 6 months after he got the Twenty-fifth Division, he commanded the south sector of the island of Oahu, including the city of Honolulu and Pearl Harbor.

In December 1942, General Collins took the Twenty-fifth Infantry Division into Guadalcanal and there relieved the First Marine Division. He received his second star (temporary) on May 26, 1942.

Early in January 1943 the Twenty-fifth Infantry Division as part of the Fourteenth Corps under Lt. Gen. Alexander M. Patch, let the attack which drove the Japanese off the island. The next several months were spent in occupation of Guadalcanal in preparation for the New Georgia campaign in which the Twenty-fifth Infantry Division assisted in the capture of the Munda Airport. Following the fall of the Munda Airfield, General Collins led his division in clearing up the remainder of the island of New Georgia while elements of the division captured Valla Lavella.

General Collins' outstanding service during this period is best described by the citations accompanying his decorations:

March 1943. Silver Star: "For gallantry in action on January 11, 1943 at Guadalcanal. To visit the command post of an infantry battalion of the division commanded by him, General Collins walked through some 800 yards of recently captured ground infested with enemy snipers. Upon arriving on Hill 52 to gain better points of observation, he voluntarily exposed himself to intermittent rifle, machine gun and mortar fire without regard for his own personal safety. From there he located an enemy machine-gun nest and personally assisted in placing mortar fire on it and on other areas likely to be occupied by the enemy while bursts of enemy machine gun fire hit many times, but three yards away. His calmness and fearlessness under fire was an inspiration to the officers and men of the infantry regiment in that sector. His example and the word of praise and encouragement with which he contin-

ually encouraged the men in the forward unit spurred them on and contributed materially to the success of the offensive operation."

April 1943. Oak Leaf Cluster for Distinguished Service Medal: "For exceptionally meritorious service to the Government in a duty of great responsibility as commanding general of an infantry division on Guadalcanal, Solomon Islands, during the period December 17, 1942, to February 9, 1943. General Collins, by his energetic and inspiring leadership and aggressive tactical employment of his division initiated a sustained offensive against the main Japanese force which materially contributed to the final defeat of the enemy on Guadalcanal. His personal courage and repeated presence with forward elements of his division during combat inspired his troops to sustained effort."

September 1943. Legion of Merit: "For exceptionally meritorious conduct in the performance of outstanding services as commanding general of an infantry division in action against the enemy forces in the Solomon Islands from August 3 to September 5, 1943. Entering the action after a large portion of his division had been committed to combat, General Collins, with excellent military skill and foresight, reorganized his command and initiated an aggressive pursuit of enemy forces disposed to the north of an airfield. Overcoming seemingly unsurmountable logistical and communication obstacles, he rigorously pressed forward over extremely rugged jungle terrain, made junction with friendly forces moving down from the north, and with the combined forces, succeeded in driving the remaining enemy from the island. He then effectively organized the defense of the north coast. His sound tactical judgment, combined with his continued administration of superb and courageous leadership contributed in large measure to the morale and outstanding performance of his troops in combat."

It was on Guadalcanal that he acquired the name, "Lightning Joe."

In December 1943 General Collins was transferred to the European theater where, in February 1944, he was assigned to command the Seventh Corps in England for the invasion of Normandy. He now commanded the same corps of which he had been chief of staff in 1941. His influence still remained and many of the original members well remembered him with respect and affection.

The Seventh Corps landed on Utah Beach on D-day and after a brisk campaign captured Cherbourg, including the German Army and Navy commanders, Von Schlieben and Henneke. On July 25, 1944, the Seventh Corps under General Collins spearheaded the attack of the First Army which made the break-through east of St. Lo and thereafter blocked the German counterattacks at Mortain while the Third Army launched its drive toward Brest and Paris.

Thereafter the Seventh Corps participated in closing the Falaise gap across the Seine in the vicinity of Paris, drove north into Belgium and in rapid succession captured Mons, Namur, and Liege. The corps then broke through the Siegfried defenses in the vicinity of Aachen and later captured Aachen.

When the Germans made their breakthrough in the Ardennes the Seventh Corps was shifted to the south where it assisted in checking the German drive toward Namur and thereafter participated in the counter-attack from the north flank of the salient resulting in the capture of Houffalize.

Shifting again to its position at Aachen, the Seventh Corps then participated in the drive with the First Army to the Rhine, ending in its capture of Cologne. The corps next participated in the exploitation of the Remagen bridgehead and then led the attack of the First Army in its envelopment of the Ruhr, ending with the seizure of Paderborn and a link-up with the Ninth Army.

General Collins then led the corps across the Vezere River, encircled the Hartz Mountains and drove to the Elbe River where it made a junction with the Russian Thirty-sixth Corps.

General Collins' distinguished service and leadership while in command of the Seventh Corps in Europe was acknowledged and well described by the following decorations and their accompanying citations:

1944. Second Oak Leaf Cluster to Distinguished Service Medal: "For service in England and France from February 11 to June 26, 1944, as commanding general of the Seventh Corps. He organized and trained his corps for amphibious operations against the European Continent. On June 6, 1944, the Seventh Corps effected a landing on the Cotentin Peninsula and, under his aggressive leadership, drove rapidly through the powerful beach defenses. The beachhead secure, he redeployed his troops and launched an attack toward Cherbourg. In a campaign lasting 20 days, he swept northward in a drive ending in the seizure of Cherbourg. The outstanding leadership, initiative, and superior professional skill displayed by him contributed materially to the success of the entire operation."

May 1945. Oak Leaf Cluster to the Silver Star: "For gallantry in action against the enemy on July 30, 1944, in France. When intense enemy mortar and artillery fire halted the advance of an armored column at the bank of the Seine River, Lieutenant General Collins disregarding his personal safety dismounted from his armored car and quickly estimated the situation. Despite the proximity of bursting shells, he remained fully exposed and directed an aggressive crossing of the river, resulting in the capture of Gavray, France. By his unhesitating action and marked personal courage, General Collins was directly responsible for the continuation of the attack reflecting great credit upon himself and the military service."

August 1945. Oak Leaf Cluster to the Legion of Merit: "By direction of the President, under the provisions of AR-645 as amended, in addition to the Legion of Merit previously awarded, an Oak Leaf Cluster is awarded for exceptionally meritorious conduct in the performance of outstanding services during the respective periods indicated, to J. Lawton Collins, lieutenant general, United States Army, from July 1, 1944, to April 26, 1945."

He was promoted to a lieutenant general (temporary) on April 16, 1945.

Following a short period of occupation of the area around Leipzig, the Seventh Corps was returned to the United States with a view to its participation in the campaign against Japan. After a brief leave of absence, General Collins rejoined the corps at Camp San Luis Obispo, Calif. The collapse of the Japanese resistance obviated the sending of the corps to Japan.

In August 1945 General Collins was relieved from the Seventh Corps and was appointed as Deputy Commanding General and Chief of Staff, Headquarters, Army Ground Forces, Washington, D. C. He held this position until December 1945 when he took over the Office as Director of Information of the War Department. He was relieved as Chief of Information effective July 29, 1947, and announced as Deputy Chief of Staff, United States Army, Washington, D. C., effective September 1, 1947. He was named Vice Chief of Staff, United States Army, effective on creation of that post in place of the old Deputy Chief of Staff position on November 15, 1948. On August 12 he was promoted to the grade of general (temporary).

On August 12, 1949, he was nominated by President Truman to be Chief of Staff of the Army, succeeding Gen. Omar N. Bradley. The nomination was confirmed by the Senate on August 15 and he was sworn in as Chief of Staff, United States Army, on August 16, 1949, at a ceremony at the Pentagon.

The Collinses have three children, a son Joseph Easterbrook, and two daughters, Gladys May and Nancy Katherine. The son graduated from West Point in 1946 and in the same year qualified as a paratrooper at Fort Benning, Ga. It is significant to note that his first assignment was with an infantry company near the border in Korea.

In addition to the decorations previously mentioned, General Collins has received the Bronze Star Medal with Oak Leaf Cluster and the following foreign decorations: Companion of the Order of the Bath (British), Order of Suvorov (second class) (Russian), Croix de Guerre with Palm (French), Legion of Honor, Degree of Officer (French), Order of Suvorov (second class) (second medal) (Russian), Order of Leopold II, Grand Officer (Belgium), Croix de Guerre 1940 with Palm (Belgium).

#### GREETINGS TO LOYAL ORDER OF MOOSE FROM SENATORS

Mr. NEELY. Mr. President, I ask unanimous consent to have printed in the RECORD a telegram which 14 Members of the Senate who are also members of the Loyal Order of Moose yesterday sent to the sixty-first international convention of that great fraternal order, which is now in progress in the city of San Francisco.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., August 15, 1949.

Hon. MALCOLM R. GILES,  
Supreme Executive Director,  
Care of Moose Convention,  
San Francisco, Calif.:

We jointly and severally send the sixty-first annual international convention, Loyal Order of Moose, our warmest fraternal greetings and our sincerest fraternal regards.

We hope that the convention will be thoroughly enjoyed by all its officers and members, and that its deliberations and actions will result in a record-breaking increase in the membership of the Order and a similar expansion of its service to little children at Mooseheart and to the aged at Moosehaven.

With the deepest appreciation of the great contribution the Moose patriotically and habitually make to the promotion of the general welfare and to the protection of the right to life, liberty, and the pursuit of happiness, we are, always,

Fraternally and faithfully yours,

SCOTT W. LUCAS, KENNETH S. WHERRY,  
CLAUDE PEPPER, ROBERT A. TAFT,  
WAYNE MORSE, LESTER C. HUNT,  
HOMER E. CAPEHART, HARLEY M.  
KILGORE, WILLIAM LANGER, SHERIDAN  
DOWNEY, HUBERT H. HUMPHREY,  
FRANCIS J. MYERS, MATTHEW  
M. NEELY, WARREN G. MAGNUSON.

#### THE BASING-POINT SYSTEM

Mr. LONG. Mr. President, on Friday last I expressed the opinion that Dr. Corwin Edwards favored the basing-point system and that he considered the concentration of industrial power to be a good thing. This opinion was expressed, based on excerpts from some of Dr. Edwards' writings as reported in the small-business hearings in the House of Representatives. I am advised by Dr. Edwards that this view is not correct, and that he is opposed to the basing-point system. It is further my understanding that he is not in favor of Senate bill 1008, as has been previously reported, and that he shares my view that it would be far better to pass no legislation at all than to pass

Senate bill 1008 in its present form. In fairness to Dr. Edwards, I submit for the RECORD, a letter which he has written me to clarify his position; and I ask unanimous consent that it be printed in the body of the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUGUST 12, 1949.

Hon. RUSSELL B. LONG,  
United States Senate,  
Washington, D. C.

DEAR SENATOR LONG: The CONGRESSIONAL RECORD for August 11 reports on page 11268 a statement by you that I recently wrote an article in which I say in effect that I favor legalization of the basing-point system and generally speaking that I favor freight absorption; and also that I believe that we should have concentration of American industry for greater and more efficient production, and that big business is better for the country than small business.

On the following two pages you are reported as quoting from an article of mine in the Georgetown Law Journal for January 1949, and as concluding the quotation by a statement that if I were consulted I would advise in favor of a law that would legalize the basing-point system because I believe in big business.

I am sure that you did not intentionally misrepresent me. Nevertheless, these statements contain a basic misrepresentation of my views. I have written no article advocating legalization of the basing-point system and would not favor such an enactment. Far from favoring concentration of control over American industry, I regard such concentration as one of the greatest dangers confronting the country today. I believe that some freight absorption is consistent with and expressive of effective competition but that other freight absorption is a means toward harmful price discrimination and collusive price fixing; and that the task of public policy in this field is to prevent the latter while permitting the former.

I have repeatedly expressed these views in public during the last year. As to basing-point systems, I said in a public speech before the New England Council on September 18, 1948:

"I submit that the Commission's basing-point cases lie directly along the main road of the antimonopoly policy of the United States, that the practices which were found in these cases were injurious in the same way and to the same extent as any other conspiracies to fix prices and as any other discriminations which materially handicap competitors; and that it would be impossible to give legal sanction to these practices without exempting the respondent companies from the FTC Act and the Robinson-Patman Act."

In a subsequent speech before the Chicago Association of Commerce and Industry on October 6, 1948, I said:

"The pattern of price discrimination which injured Chicago in the case of steel has been evident in various degrees in various communities with reference to various products. The pattern of collusive price fixing, which the Commission found in the Cement case and which is also alleged to prevail in the steel industry according to a proceeding now pending in the Commission, has diminished the protections available to the buyer not only in one or two industries but in a number of important industries. The basing-point decisions are landmarks in an effort to preserve a free market in the United States and to give the outlying communities of America a fair chance to participate in our country's economic development. These cases dealt with major industrial evils. The

policy underlying them is concerned with similar problems. It need cause no difficulty for businessmen who do not fear price competition and who avoid discriminations which significantly injure competition among their customers."

On June 17, 1949, I spoke on the problem of industrial concentration before the Life Officers Investment Seminar, at Beloit, Wis. I said:

"Broadly speaking, two lines of policy are available in dealing with the concentration of economic power. The first is to accept that concentration as typically natural, inevitable, and perhaps desirable, and to use public authority to regulate its effects where there is danger that they may be objectionable. The second is to oppose concentration and to seek to hold it within relatively narrow limits."

As to the first policy I said:

"At the very least development along these lines would give us an economy subject to elaborate regulation by a state that takes detailed responsibility for the public welfare. At most it might edge us out of the private-enterprise economy into a system of state socialism."

As to the second I said:

"Preservation of our free-enterprise system requires that we choose the other alternative—action to check the concentration of economic power."

I then advocated four types of such action, namely, preventing large enterprises from following policies that tend to destroy their smaller competitors, dissolving great corporate combinations where they have acquired so much power as to be clearly objectionable, preventing types of concentration that are undesirable, and creating an environment more favorable to the rise and growth of small business than that we now have. I concluded this speech with the following passage:

"But if it is true, as most of us believe, that a private-enterprise system is more productive, more progressive, and more consistent with human freedom than one run by the state, then it is also true that all of us, businessmen and Government officials alike, have much to gain from an effort to keep the control of business activity diffused. Unchecked concentration of economic power points toward monolithic private monopoly, and, in the reaction from that, toward monolithic state control."

I am at a loss to understand how my article in the Georgetown Law Journal can be interpreted as a defense of big business or of basing-point systems. The heart of the article is an analysis of the basing-point system as a device by which the small concerns give up their independence in pricing and acquiesce in a system of access to markets which limits the small concerns' chances to grow and facilitates the growth of large enterprises. The last paragraph of the article points out that whatever is substituted for basing-point pricing, the strategic advantage of the large enterprises is likely to be reduced and it states specifically that this is movement in the right direction.

I am confident that your comments during the debate were not intended to do me an injustice. I shall be grateful if you will insert this letter in the CONGRESSIONAL RECORD.

Copies of the full texts of the speeches from which I have quoted are attached hereto.

Yours very truly,

CORWIN D. EDWARDS,  
Director, Bureau of Industrial Economics.

#### THE FARM PRICE SUPPORT SITUATION—EDITORIAL FROM THE FARM JOURNAL

Mr. YOUNG. Mr. President, I ask unanimous consent to have printed in



the body of the RECORD a very able analysis of the farm price support situation, published in the Farm Journal for September 1949.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WASHINGTON, August 9.—Whatever happens in the farm legislative field, you can count with confidence on 90 percent price supports in 1950. There are four possibilities:

1. If Congress extends the present law for another year (the Gore amendment), you'll be getting 90 percent supports.

2. If Congress should adopt the Brannan plan, which no one expects, you'd get what amounts to full parity.

3. If Congress should agree to the Anderson compromise—the plan proposed last week by Senator CLINTON ANDERSON's subcommittee—you'd get 90 percent, since that is the level provided for the first effective year of the bill.

4. If Congress cannot agree on any new farm bill, the 1948 Hope-Aiken law will go into effect automatically. While this law provides for flexible, 60 to 90 percent of parity supports, it also says that the Secretary of Agriculture can fix support levels up to 90 percent of parity. Secretary Brannan could hardly be expected to cut the Administration's political throat by setting supports any lower.

Why all the fuss, then, since the results are about the same? There is one good reason, a political one.

The Hope-Aiken Act was passed hastily by a Congress in which the majority was Republican. A Congressman hates catchy labels, and anyone who stands up for the Hope-Aiken Act hears himself called a sixty-percenter. Therefore the Hope-Aiken Act must be repealed, at least in name.

Should Congress merely extend the present law another year? That would be simple, but wastes two years of thorough hearings, at which nearly everyone agreed that a new farm program is needed. With 1950 an election year, heavy pressure would be applied to extend it again for 1951, and so on.

No matter how politically appealing, the Brannan plan would be difficult to administer. More important, it is dangerous for farmers to have to depend on a Federal hand-out every year.

Now comes the Anderson compromise. ANDERSON would adopt the Hope-Aiken modernized parity. He would narrow the flexible price support range to 75 to 90 percent on basic commodities, instead of the Aiken 60 to 90 percent.

He would also allow use of the Brannan payment plan on nonstorable perishables. Such a feature is not inconsistent with the Hope-Aiken Act, and would let Brannan save face.

There remains the big question whether the House and Senate can agree on anything that will pass Mr. Truman's veto. Assuming that they can, Washington expects to see a new law which will accomplish just the two things: (1) Getting rid of the Hope-Aiken label and 60-percent supports; (2) insuring 90-percent supports for 1950.

It should not be assumed that the Brannan plan is dead for keeps. A few days ago the Democratic National Committee announced: "The Democratic Party last week won a victory for American farmers in the House of Representatives when it killed the Hope-Aiken law which provided for a sliding scale of farm supports. The Brannan plan has not been abandoned by the Democratic Party. We are redoubling our efforts to explain the complicated program to the public."

#### RECESS

Mr. LUCAS. Mr. President, I move that the Senate take a recess until tomorrow at 11 o'clock a. m.

The motion was agreed to; and (at 6 o'clock and 32 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, August 17, 1949, at 11 o'clock a. m.

## HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 16, 1949

The House met at 12 o'clock noon. The Acting Chaplain, the Reverend James P. Wesberry, offered the following prayer:

O Thou Maker and Master of our lives, incline Thine ear unto us, we humbly beseech Thee, as we thank Thee for the noble leaders in this great legislative body who have the love of God and the daring of Thy kingdom in their hearts. We would thank Thee for those who serve with no thought of self, who rather give than receive, who toil without rest and fight without heeding the wounds. For those who know right from wrong and have courage to do right without counting the cost, we thank Thee. Our hearts overflow with thanksgiving for all who sacrificially lay down their lives in the holy warfare for the rights and freedom of the people.

Grant to the people of our land, Holy Father, the sweet peace that comes from the realization that our Nation is richly blessed with such a goodly number of righteous and consecrated leaders, who, by day and night, give of their best to lead our country to nobler ideals and higher achievements. In the spirit of Jesus. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 3417. An act to amend the act entitled "An act to provide for cooperation by the Smithsonian Institution with State, educational, and scientific organizations in the United States for continuing ethnological researches on the American Indians," approved April 10, 1928, and for other purposes.

#### COMMITTEE ON BANKING AND CURRENCY

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may have until midnight tonight to file a report on H. R. 5987.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

#### EXTENSION OF REMARKS

Mr. MANSFIELD asked and was given permission to extend his remarks in the RECORD and include two articles appearing in the Christian Science Monitor.

Mr. CHRISTOPHER asked and was given permission to extend his remarks in the RECORD and include an article appearing in the Missouri Farmer.

Mr. DOLLINGER asked and was given permission to extend his remarks in the RECORD and include extraneous matter.

Mr. KEOGH (at the request of Mr. DOLLINGER) was given permission to extend his remarks in the RECORD and include extraneous matter.

Mr. BARTLETT asked and was given permission to extend his remarks and include a resolution adopted by the Alaska Territorial Federation of Labor.

Mr. YOUNG asked and was given permission to extend his remarks in the RECORD and include a letter from a constituent.

Mr. BONNER asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. CAVALCANTE asked and was given permission to extend his remarks in the RECORD and include an article which appeared in the current issue of Capital Comment dated August 13, 1949.

#### STATEHOOD FOR ALASKA AND HAWAII

Mr. PETERSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PETERSON. Mr. Speaker, the Committee on Public Lands reported favorably, some months ago, the two bills, one providing statehood for Alaska and one providing statehood for Hawaii. Extensive hearings were held. It was the considered opinion of the committee that these Territories should be granted statehood. The economics showed their ability to assume the responsibilities of statehood.

After the hearings, the committee, with only one dissenting vote, approved the bills and reported them favorably to the House. Prompt application was made for a rule. It is my feeling that the Congress should act on these bills. A recent poll shows clearly that the majority of the House favors statehood. I filed special resolutions making it in order to bring these bills up under the rules of the House. More than 21 days have elapsed since the filing of such resolutions. I would much prefer to bring these bills up in the orderly way. I am anxious and urging that the Rules Committee do grant a rule, and urging the support of the membership of the House, in order that we may carry out the expressed wishes of so many people, including our own both great political parties.

It is my considered opinion that both Territories are worthy of statehood, an opinion which I reached only after carefully reviewing the testimony and the economics of the situation.

#### EX-PRESIDENT HOOVER

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include two editorials.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I believe everyone in the United States wished for ex-President Hoover a most happy birthday last Thursday when he reached his seventy-fifth milestone. It was my privilege to know him before, during, and after his term of office, and I have never seen a man more sincerely interested in having people well-fed, well-clothed, and well-housed. His entire life has been one of self-sacrifice and service to others. The true greatness that has come to him is the result of self-endeavor, hard work, and extreme tolerance. At an age when most men are willing to retire and enjoy well-earned relaxation, he is as active as any man one-half his age and has just completed one of the most difficult and arduous tasks of his career, the conduct of the Hoover Commission for the Organization of the Executive Branch of Government. I hope and wish for him years of happiness and success in his great humanitarian efforts.

#### EXTENSION OF REMARKS

Mr. ANGELL asked and was given permission to extend his remarks in the RECORD and include extraneous matter.

Mr. DAVIS of Wisconsin asked and was given permission to extend his remarks in the RECORD and include an editorial from the Milwaukee Sentinel.

Mr. BURDICK and Mr. PATTERSON asked and were given permission to extend their remarks in the RECORD.

Mr. LODGE asked and was given permission to extend his remarks in the RECORD in three instances and include extraneous material.

Mr. GROSS asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. HILL asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

#### WAGE INCREASES

Mr. HARVEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HARVEY. Mr. Speaker, I am taking this opportunity to denounce the imminent fourth-round wage increase in American industry.

It seems to me, Mr. Speaker, crystal clear that big labor and big business are hoodwinking the American consuming public. Surely it is an accepted economic truth that only increased production can reduce prices, raise our standard of living, and put prosperity on sound ground. The proposed fourth-round wage raises constitute a sad, selfish, and short-sighted device that can be of no real benefit to the vast majority of our people.

Viewing the present price and wage situation in this country, I am moved to say that we have more economic sense in the rank and file of the working

masses—those in blue jeans as well as white collars; those carrying union cards as well as those who do not—than can be found in the plush offices of union bosses and industrial tycoons.

Another round of wage raises is going to do the country far more harm than good. Most wage earners realize any monetary gain in their pay envelopes will be quickly wiped out by a rise in the price of things they have to buy. While the larger industrial producers will offset their increased production costs by jacking up prices, the average consumer trying to get by on fixed income will be caught again in an economic squeeze play.

The irony of the situation is that large corporate producers like steel are fearful of reducing prices in face of a prospective wage increase, although their profits have been the highest in history. On the other hand, union workers feel they are not getting their fair share of the profits, and since they cannot strike for lower prices, they resort to a demand for more wages.

Steel, of course, best illustrates the fallacy of this futile tug-of-war, because it is basic to our industrial welfare. The cost of steel eventually affects nearly every item we buy. An increase in steel prices immediately increases the cost of automobiles, home appliances and a host of items already priced to such a high point they are meeting buyer resistance.

A fourth-round wage increase will furnish big steel an excuse to raise prices further. This action will usher in another era of price-boosting for the ordinary consumer, and another round of a vicious circle will be completed.

This progressive approach to a boom-and-bust cycle, the very thing this country must avoid, is morally wrong and economically deplorable. Leaders in both big business and big labor should wake up to the serious fact that the faith of the American citizen in the free-enterprise system is at stake.

#### CHINESE NATIONALIST ARMIES

Mr. LODGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. LODGE. Mr. Speaker, it has been widely proclaimed and repeated by those who have committed themselves to a do-nothing policy in China that the Chinese Nationalist troops were completely ineffective. Indeed, in his letter to President Truman transmitting the white paper Secretary of State Dean Acheson says on page XIV with reference to the Chinese Nationalists that "its troops had lost the will to fight." He states also that "the Nationalist armies did not have to be defeated; they disintegrated."

While the Secretary of State was thus apostrophizing the difficulties of the anti-Communist armies, the Chinese Communists themselves paid tribute to the effectiveness of the Chinese Nationalist troops in a news release which appeared

in the New York Times of July 19 and which is quoted below:

REDS PUT LOSS AT 1,432,900

SHANGHAI, July 19.—The Chinese Communists, who rarely discuss their war losses, said today that the Communist army had lost 1,432,900 men during the past 3 years of fighting.

The Communist New China News Agency put the losses at 243,900 killed, 989,700 wounded, 10,400 captured, and 188,900 missing. The figures were for the period from July 1, 1946, to the present.

Here it is interesting to note the contrast between the above figures and the losses which our armies sustained against the Japanese and the Germans. These losses, exclusive of naval and air force losses, were 948,574.

In other words, the Chinese Nationalist armies inflicted in 3 years greater losses on the Chinese Communist armies than the armies of the United States sustained in fighting the Japanese and Germans in almost 4 years.

In these circumstances it is, let us say, at least open to question when the flat statement is made that the Chinese Nationalist armies have been an ineffective fighting force. Surely an army which causes more losses to the enemy than the Japanese and the German armies were able to inflict on United States troops in almost 4 years of combat can hardly be described as totally ineffective.

I make this statement for the RECORD primarily because it is a statement of incontrovertible fact. I think it important that my colleagues should be informed.

#### SPECIAL ORDER GRANTED

Mr. ELLSWORTH. Mr. Speaker, I ask unanimous consent that on Thursday of this week, after the disposition of business on the Speaker's desk and at the conclusion of special orders heretofore granted, I may address the House for 1 hour.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

#### OHIO DRIVE

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS. Mr. Speaker, I would not assume and I know it would be impossible for anybody to tell the glories of Ohio in 1 minute. Ohio is great in so many respects that it would take volumes to do her justice. But I can tell you in 1 minute that a few days ago a new thoroughfare was established in Washington which was given the name Ohio. Henceforth Ohio Drive will continue to grow in importance until it will rank at the top in importance. I cordially invite all of you to take a ride on Ohio Drive, Washington's most beautiful drive.

Mr. Speaker, in order that I might have enough time to, in a small way, expand on the beauties and importance of Ohio Drive, I ask unanimous consent that



I may be permitted to revise and extend my remarks in the Appendix of the Record.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### EXTENSION OF REMARKS

Mr. RICH asked and was given permission to extend his remarks in the Record and include a statement by Bishop Fred Pierce Corson, of the Methodist Church, Philadelphia, Pa., entitled "The Real Indictment of the White Paper."

#### SOCIAL SECURITY LEGISLATION

Mr. COOPER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, after about 6 months of diligent effort and hard work the Committee on Ways and Means has completed the draft of a bill dealing with social security and amending the Social Security Act. The bill, H. R. 6000, which is a clean bill was introduced by the chairman of the committee on yesterday. The chairman of the committee on yesterday issued a press release giving a very clear and concise statement covering the points included in the bill as well as the principal provisions of the bill. Realizing this is of great interest to all Members of the House, Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a copy of the press release.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(The matter referred to is as follows:)

#### COMMITTEE ON WAYS AND MEANS COMBINES SOCIAL SECURITY BILLS

Chairman DOUGHTON, of the House Committee on Ways and Means, announced today that the committee has concluded its work on amendments to titles I, IV, and X of the Social Security Act, relating to public assistance for needy persons over age 65, dependent children, and the blind, and to add a new category of needy persons who are permanently and totally disabled. Amendments would also be made in title V, relating to child welfare. Mr. DOUGHTON stated that the committee had agreed that the public assistance changes should be combined with the amendments relating to old-age and survivors insurance for introduction by him as a new committee bill:

#### SUMMARY OF PRINCIPAL PROVISIONS OF THE BILL

##### A. Old-age and survivors insurance

1. Extension of coverage: Old-age and survivors insurance coverage would be extended to add approximately 11,000,000 new persons to the 35,000,000 persons now covered during an average week. The groups added to the system under the bill are as follows:

(a) Nonfarm self-employed persons (other than physicians, lawyers, dentists, osteopaths, veterinarians, chiropractors, optometrists, Christian Science practitioners, and aeronautical, chemical, civil, electrical, mechanical, metallurgical, or mining engineers) whose net earnings from self-employment total \$400 or more per year (about 4,500,000).

(b) Employees of State and local governments, if the State enters into a voluntary compact with the Federal Security Agency, provided that such employees who are under an existing retirement system shall be covered only if such employees and adult beneficiaries of the retirement system shall so elect by a two-thirds majority (about 3,800,000).

(c) Domestic servants in a private home whose cash earnings are \$25 or more per quarter, and who work 26 days or more per quarter, unless employed on a farm operated for profit (about 750,000).

(d) Employees of nonprofit institutions other than ministers and members of religious orders, but, if the employer does not elect voluntarily to pay the employer's tax, the employee would receive credit with respect to only one-half his wages for the employee's tax which is compulsorily imposed upon him (about 600,000).

(e) Agricultural processing workers off the farm and certain other types of essentially commercial or industrial border-line agricultural labor, including employees of nonprofit agricultural and horticultural organizations and of farm-loan and farm-credit institutions (about 200,000).

(f) Federal employees not covered under any retirement system, except temporary workers, elective officials, dollar-a-year employees, etc. (about 100,000).

(g) Americans employed outside the United States and employees on American aircraft outside the United States (about 150,000).

(h) Employees and self-employed in the Virgin Islands (about 5,000) and, if requested by the Territorial legislature, in Puerto Rico (about 250,000).

(i) Salesmen, taxi drivers, industrial home workers, contract loggers, mine lessees, and other persons technically not employees at common law, who were deprived of status as employees by Public Law 642, Eightieth Congress, the so-called Gearhart resolution (about 500,000).

##### 2. Liberalization of benefits:

(a) About 2,600,000 persons currently receiving old-age and survivors insurance benefits would have their monthly benefit increased on the average by about 70 percent. Increases would range from 50 percent for highest benefit groups to as much as 150 percent for lowest benefit groups. The average primary benefit of approximately \$26 per month for a retired insured worker would be increased to nearly \$45.

Present primary insurance benefit	New primary insurance amount
\$10.....	\$25
15.....	31
20.....	36
25.....	44
30.....	51
35.....	55
40.....	60
45.....	64

(b) Persons who retire in the future would have their benefits computed under the following new formula, with resulting benefits approximately double the average benefits payable today.

(i) Fifty percent of first \$100 of average monthly wage, plus 10 percent of the next \$200 (based on the maximum wage and tax base of \$3,600 per year). This amount would be increased by one-half of 1 percent for each year of coverage, and would be reduced proportionately to take into account the time not spent in covered employment. For example, assume that the worker retired before 1956 and had 10 years of coverage since 1936, and that he had an average monthly wage over his years of coverage of \$200 per month. His basic benefit would then be \$60 (50 percent of the first \$100 of average wage plus

10 percent of the next \$100 of average wage or \$50 plus \$10). The amount coming from the increment is 5 percent of the basic benefit (since there are 10 years of coverage at one-half of 1 percent each) or \$3. The primary insurance amount is then \$63.

(ii) The minimum primary benefit under existing law of \$10 per month would be increased to \$25.

(iii) The maximum family benefit under existing law of \$85 per month would be increased to \$150, but not more than 80 percent of the average monthly wage of the insured person.

(iv) Lump-sum death payments would be made for all insured deaths instead of only for deaths with respect to which immediate monthly survivor's benefits are not payable, as limited by present law.

3. Computation of average wage: The average wage of insured worker would be the average earned in all years of social-security coverage (years after 1949 in which \$400 or more was earned in covered employment; prior to 1950 years of coverage will be credited for \$200 or more of wages) after either 1936 or after 1949, and before the worker dies or attains retirement age, whichever yields the higher average wage.

4. Eligibility for benefits: In order to qualify for both old-age and survivors insurance benefits under present law, a person must have either (a) quarters of coverage (calendar quarters after 1949 in which \$100 or more was earned in covered employment; prior to 1950 quarters of coverage will be credited for \$50 or more of wages) in one-half of the number of quarters since 1936 and before age 65; or (b) 40 quarters of coverage. Under the bill a third alternative qualification of 20 quarters of coverage out of the 40-quarter period ending at age 65, or any later date, would be added to enable newly covered groups to qualify more quickly.

5. Limitation on earnings of beneficiaries: The amount a beneficiary may earn in covered employment without loss of benefits would be increased from \$14.99 to \$50 per month. After age 75 benefits are payable regardless of amount of earnings from employment.

##### B. Permanent and total disability insurance

1. Coverage: All persons covered by the old-age and survivors insurance program would have available protection against the hazard of enforced retirement and loss of earnings caused by permanent and total disability.

2. Benefits: Permanently and totally disabled workers would have their benefits and average wage computed on the same basis as for old-age benefits, but no payments would be available for dependents of disabled workers.

3. Eligibility for benefits: An individual would be insured for disability benefits if he had both (a) 6 quarters of coverage out of the 13-quarter period ending when his disability occurred, and (b) 20 quarters of coverage out of the 40-quarter period ending when his disability occurred.

##### C. Veterans

World War II veterans would be given wage credits under the old-age, survivors, and disability insurance program of \$160 per month for the time spent in military service between September 16, 1940, and July 24, 1947.

##### D. Financing of old-age, survivors, and disability insurance

1. Taxable wage base: The total annual earnings on which benefits would be computed and contributions paid is raised from \$3,000 to \$3,600.

2. Contribution schedule: Employers and employees would continue to share equally,

with their combined rate for the future being as follows (since 1936 the rate has been 2 percent):

Calendar years:	Rate (percent)
1950.....	3
1951-59.....	4
1960-64.....	5
1965-69.....	6
1970 and after.....	6½

The self-employed who are covered would pay three-fourths of the above rates.

#### E. Public assistance and welfare services

1. Extension of State-Federal public assistance programs: Aid would be extended to persons not now eligible for assistance, as follows:

(a) Permanently and totally disabled needy persons would become eligible for State-Federal assistance by the establishment of a fourth category, with the Federal Government sharing in the costs in the same manner as for old-age assistance and aid to the blind.

(b) The mother, or adult relative with whom an eligible dependent child is living, would become eligible as a recipient under the aid to dependent children program, and the Federal Government would share in the costs of the aid furnished such mother or relative.

2. Increase in Federal share of public assistance costs: The bill would strengthen financing of public assistance in all States, and, particularly, would enable States with low average payments to raise the level of payments to needy recipients under the State-Federal program. Federal funds would be made available to the States under the following matching formula:

(a) For old-age assistance, aid to the blind and aid to the totally and permanently disabled: Federal funds will equal four-fifths of the first \$25 per recipient plus one-half of the next \$10 plus one-third of the next \$15 with a maximum of \$50 on individual assistance payments.

(b) For aid to dependent children: Federal funds will equal four-fifths of the first \$15 per recipient (including one adult in each family), plus one-half of the next \$6, plus one-third of the remainder, with maximums on individual-assistance payments of \$27 for the adult plus \$27 for the first child plus \$18 for each additional child in the family. (See tables I and II attached for the extent to which States would be enabled to raise average payments.)

3. Public medical institutions: The Federal Government would share in the costs incurred by the States and localities in furnishing assistance to the needy aged, blind, and permanently and totally disabled recipients in public medical institutions, instead of limiting Federal participation to costs incurred to recipients residing in private institutions as provided in present law.

4. Direct payment for medical care: States would be authorized to make direct payments to doctors or others furnishing medical care to recipients of State-Federal public assistance. Such payments would reduce payments to the recipients to that extent. Under existing law the Federal Government does not participate in the cost of medical care for recipients unless payment for such care is made directly to the recipient.

5. Child-welfare services: Authorization for child-welfare services would be increased from \$3,500,000 per year to \$7,000,000, for services in rural areas or areas of special need. The use of child-welfare funds would be authorized for purposes of returning interstate runaway children to their homes.

6. Cost: The estimated additional cost to the Federal Government for these public-assistance and welfare services amendments would be \$256,000,000 annually.

#### F. Puerto Rico and the Virgin Islands

Old-age, survivors, and disability-insurance program and Federal participation in

public assistance would be extended to Puerto Rico and the Virgin Islands.

TABLE I.—Old-age assistance and aid to the blind: Amount to which average monthly payments of specified size under present provisions could be increased, and amount of increase under bill, assuming the same average expenditure per recipient from State and local funds

Present provisions			The bill <sup>1</sup>		
Average monthly payments	Federal funds	State and local funds	Average monthly payments <sup>2</sup>	Federal funds	State and local funds
\$20.....	\$15.00	\$5.00	\$25.....	\$20.00	\$5.00
\$25.....	17.50	7.50	\$30.....	22.50	7.50
\$30.....	20.00	10.00	\$35.....	25.00	10.00
\$35.....	22.50	12.50	\$38.75.....	26.25	12.50
\$40.....	25.00	15.00	\$42.50.....	27.50	15.00
\$45.....	27.50	17.50	\$46.25.....	28.75	17.50
\$50.....	30.00	20.00	\$50.....	30.00	20.00

<sup>1</sup> Also applies to permanently and totally disabled.

<sup>2</sup> Assuming that no payments exceed \$50, or disregarding any individual excess over \$50.

TABLE II.—Aid to dependent children: Amount to which average monthly payments to families of specified size under present provisions could be increased, and amount of increase under the bill assuming the same average expenditure per family from State and local funds

Size of family	Average monthly payment <sup>1</sup>				
1-child family:					
Present provisions:					
Total payment.....	\$25.00	\$35.00	\$45.00	\$55.00	\$75.00
Federal funds.....	15.50	16.50	16.50	16.50	16.50
State and local funds.....	9.50	18.50	28.50	38.50	58.50
The bill:					
Total payment.....	37.00	51.75	62.50	72.50	92.50
Federal funds.....	27.50	33.25	34.00	34.00	34.00
Increase in Federal funds.....	12.00	16.75	17.50	17.50	17.50
3-child family:					
Present provisions:					
Total payment.....	25.00	35.00	45.00	55.00	75.00
Federal funds.....	18.75	26.25	31.50	36.50	40.50
State and local funds.....	6.25	8.75	13.50	18.50	34.50
The bill:					
Total payment.....	31.25	43.75	63.00	73.00	96.50
Federal funds.....	25.00	35.00	49.50	54.50	62.00
Increase in Federal funds.....	6.25	8.75	18.00	18.00	21.50

<sup>1</sup> Assuming that no payments are in excess of amounts subject to Federal participation for Federal matching purposes.

#### EXTENSION OF REMARKS

Mr. BOGGS of Louisiana asked and was given permission to extend his remarks in the RECORD and include some newspaper editorials.

#### SPECIAL ORDER GRANTED

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that on today, after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore granted, I may address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

#### EXTENSION OF REMARKS

Mr. MURRAY of Tennessee asked and was given permission to extend his remarks in the RECORD and include therein an opinion rendered by Judge Holtzoff, district judge of the District of Columbia.

#### THE WASHINGTON POST HELPS WADLEIGH MAKE TREASON PROFITABLE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, the Washington Post ought to be excluded from the mails.

Any newspaper that will carry the syndicated article of that man Henry Julian Wadleigh, a confessed traitor, and spread it throughout the country, and in that way assist Wadleigh in making money out of his treason, ought to be denied the use of the United States mail.

I heard Wadleigh's testimony before the Committee on Un-American Activities. I cross-examined him and helped to expose his treason.

Now he confesses everything he was charged with, and in order to give him a semblance of respectability, the Washington Post publishes his syndicated statement, and pays him for it in order to try to minimize the offense that he committed in perpetrating treason against the American people at a time when our boys were dying on every battlefield in the world.

I say the Washington Post, and every other paper that carried his syndicated article, ought to be excluded from the mails.

The SPEAKER. The time of the gentleman from Mississippi has expired.

#### ADJOURNMENT OF CONGRESS

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, the press of yesterday carried an item to the effect that the Speaker advised the Congress would get out of here a little sooner if we did not make so many points of order. I do not know whether he was correctly quoted or not but I do know that I did not see anything in that item to the effect that if we passed all the legislation the administration wanted we would get out of here quicker. It may be that is one of the reasons for keeping us here—to sort of wear us down until we take it.

#### EXTENSION OF REMARKS

Mr. JENKINS asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. VELDE asked and was given permission to extend his remarks in the RECORD in two instances, in one to include an editorial by the Ithaca (N. Y.) Journal.

#### GEN. JOSEPH LAWTON COLLINS

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an editorial.



The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DINGELL. Mr. Speaker, I was privileged to attend the ceremony attendant upon the installation of Gen. J. Lawton Collins as Army Chief of Staff. As the oath was administered by Gen. Omar Bradley, I realized that a prediction which I had made in 1933 to the late Frank Murphy, then High Commissioner of the Philippine Islands, that some day Maj. J. Lawton Collins would become Chief of Staff of the United States Army, had been fulfilled.

Our paths crossed on the way to Manila when I was given an opportunity to appraise the character and the caliber of this young and brilliant Army officer. I invited him to join me on an aerial inspection trip of the Hawaiian Islands. Intuitively I knew that the driving force and the thoroughness in his makeup, based upon an unimpeachable character and sound fundamental military training at West Point, would be crowned with success.

Attending the ceremony, I experienced a thrill and a great satisfaction as I calculated the short span of time of 16 years since then, and I am pleased with the meteoric rise of General Collins who, as Chief of Staff, has assumed direction of the Army. My attitude is buttressed by a legion of friends and observers, who, perhaps, are not in a position to give public expression to their views as regards the deserved recognition accorded the new Chief of Staff.

An eloquent editorial tribute appeared in the Evening Star dated August 16, the day of the ceremony, which tersely covers the high spots of the brilliant record of "Lightning Joe," and I am of the opinion that this editorial comment should become a part of the CONGRESSIONAL RECORD where it may be preserved for posterity and for future reference. General Collins follows a long line of brilliant soldiers, the most recent of whom include such outstanding names as Douglas MacArthur, Malin Craig, George Marshall, Dwight D. Eisenhower, and Omar Bradley.

But as the editorial states "the Army in good hands" should assure the people that the Army's glorious record of the past will be maintained.

The editorial follows:

#### THE ARMY IN GOOD HANDS

Gen. J. Lawton Collins is well equipped to succeed Gen. Omar Bradley as Army Chief of Staff. At 53, a veteran of both world wars, he is one of the Nation's most distinguished and most likable military leaders. Rich in ability and experience, both as an administrative officer and a field commander, he can be counted upon not merely to keep the ground forces in the best possible condition, but also to make an important contribution to the cause of interservice integration, in which he firmly believes.

In the Second World War, besides doing an excellent job as the War Department's Director of Information, General Collins—whose troops at Guadalcanal nicknamed him "Lightning Joe"—established a record in the South Pacific and Europe that has won him a place of lasting fame in our military history. Colorful and aggressive, he was one of the best and hardest-hitting of American

commanders in the European theater, leading his celebrated Seventh Corps through a long series of great victories over the Nazis—seizing Utah Beach in the Normandy landings, freeing Cherbourg, breaking through at St. Lo, cracking the Siegfried Line, capturing Aachen, crossing the Rhine at Remagen Bridge, and going on from there to link up, finally with the Russians at the Elbe.

General Collins will feel anything but strange in his new post. Although primarily a fighting officer, he has also demonstrated outstanding administrative talent. Indeed, since becoming Vice Chief of Staff last October, he has frequently served more or less as the Acting Chief while General Bradley, who is moving up now to become chairman of the Joint Chiefs of the Army, Navy, and Air Force, concentrated on policy-making in connection with the effort to unify the services. General Collins thus will find himself pretty much at home in the big and important task that has been delegated to him. Moreover, being a strong advocate of teamwork and a man whose ideas are not the slaves of traditions which have become obsolete in the atomic age, he has the viewpoint needed throughout our Military Establishment to promote unification.

General Bradley has been such a topnotch Chief of Staff that his successor will have quite a job trying to match his record. But General Collins, by virtue of what he has achieved already—behind the desk as well as on the battlefield—is amply qualified to match it. Certainly, viewed from any angle, his appointment to the post is as reassuring as it is excellent.

#### PRIVILEGES OF FREE IMPORTATION TO MEMBERS OF THE ARMED FORCES OF OTHER NATIONS

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5086) to accord privileges of free importation to members of the armed forces of other nations, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 1, line 3, after "That" insert "(a)."  
Page 2, line 14, strike out "Sec. 2." and insert "(b)."

Page 2, line 15, strike out "act" and insert "section."

Page 2, line 18, strike out "Sec. 3. This act" and insert "(c) This section."

Page 2, line 20, strike out "its."

Page 2, line 21, after "enactment" insert "of this act."

Page 2, after line 21, insert:

"Sec. 2. Extension of time for claiming refund with respect to war losses.

"The joint resolution of June 29, 1948 (Public Law 828, 80th Cong.), is hereby amended by striking out '1949' wherever appearing therein and inserting in lieu thereof '1950'."

Page 2, after line 21, insert:

"Sec. 3. Extension of time in the case of discharge of indebtedness.

"Section 22 (b) (9) and section 22 (b) (10) of the Internal Revenue Code are hereby amended by striking out '1949' and inserting in lieu thereof '1950'."

Page 2, after line 21, insert:

"Sec. 4. Verification of returns.

"(a) Chapter 38 of the Internal Revenue Code is hereby amended by inserting at the end thereof the following new section:

"Sec. 3809. Verification of returns; penalties of perjury.

"(a) Penalties: Any person who willfully makes and subscribes any return, statement,

or other document, which contains or is verified by a written declaration that it is made under the penalties of perjury, and which he does not believe to be true and correct as to every material matter, shall be guilty of a felony, and, upon conviction thereof, shall be fined not more than \$2,000 or imprisoned not more than 5 years, or both.

"(b) Signature presumed correct: The fact that an individual's name is signed to a return, statement, or other document filed shall be prima facie evidence for all purposes that the return, statement, or other document was actually signed by him.

"(c) Verification in lieu of oath: The Commissioner, under regulations prescribed by him with the approval of the Secretary, may require that any return, statement, or other document required to be filed under any provision of the internal revenue laws shall contain or be verified by a written declaration that it is made under the penalties of perjury, and such declaration shall be in lieu of any oath otherwise required."

"(b) Sections 51 (d), 145 (c), and 1630 of such code are hereby repealed.

"(c) The amendments made by this section shall be applicable with respect to any return, statement, or document filed after the date of the enactment of this act."

Page 2, after line 21, insert:

"Sec. 5. Reports of Compensation.

"Section 148 (f) of the Internal Revenue Code (relating to reports of compensation of corporate officers and employees exceeding \$75,000) is hereby repealed."

Page 2, after line 21, insert:

"Sec. 6. Failure to File Return or Pay Tax.

"Section 1626 (c) of the Internal Revenue Code is hereby repealed, and section 1631 of such code is hereby amended to read as follows:

"Sec. 1631. Failure of Employer to File Return or Pay Tax.

"In case of a failure to make and file any return, or a failure to pay any tax, required by this chapter, or both, within the time prescribed by law or prescribed by the Commissioner in pursuance of law, unless it is shown that such failure is due to reasonable cause and not due to willful neglect, the addition to the tax shall not be less than \$5."

Page 2, after line 21, insert:

"Sec. 7. Returns and Payment of Excise Taxes.

"(a) Section 3310 of the Internal Revenue Code (relating to returns and payment of tax) is hereby amended by adding at the end thereof the following new subsection:

"(f) Discretion allowed Commissioner:

"(1) Returns and payment of tax: Notwithstanding any other provision of law relating to the filing of returns or payment of any tax imposed by chapter 9, 9A, 10, 12, 19, 21, 30, 32, subchapter A of chapter 25, or subchapter A of chapter 29, the Commissioner may by regulations approved by the Secretary prescribe the period for which the return for such tax shall be filed, the time for the filing of such return, the time for the payment of such tax, and the number of copies of the return required to be filed.

"(2) Use of Government depositaries: The Secretary may authorize Federal Reserve banks, and incorporated banks or trust companies which are depositaries or financial agents of the United States, to receive any tax imposed by this title, in such manner, at such times, and under such conditions as he may prescribe; and he shall prescribe the manner, times, and conditions under which the receipt of such tax by such banks and trust companies is to be treated as payment of such tax to the collector."

"(b) Section 8 of the Second Liberty Bond Act, as amended (31 U. S. C., sec. 771), is hereby amended by striking out 'income and excess profits taxes' and inserting in lieu thereof 'internal revenue taxes.'"

Page 2, after line 21, insert:

"Sec. 8. Delegation of assessment authority.

"Chapter 35 of the Internal Revenue Code is hereby amended by adding at the end thereof the following new section:

"Sec. 3647. Delegation of assessment authority.

"The Commissioner, under regulations approved by the Secretary, is authorized to delegate to any officer or employee of the Bureau of Internal Revenue, including the field service, any authority, duty, or function which the Commissioner is authorized or required to exercise or perform under section 3640, 3641, or 3642."

Page 2, after line 21, insert:

"Sec. 9. Credit or refund of overpayment of tax.

"(a) Section 3770 (a) of the Internal Revenue Code is hereby amended by renumbering paragraph (5) as paragraph (6), and by amending paragraph (4) to read as follows:

"(4) Credit of overpayment of one class of tax against another class of tax due: Notwithstanding any provision of law to the contrary, the Commissioner may, in his discretion, in lieu of refunding an overpayment of tax imposed by any provision of this title, credit such overpayment against any tax due from the taxpayer under any other provision of this title.

"(5) Delegation of authority to collectors to make refunds: The Commissioner, with the approval of the Secretary, is authorized to delegate to collectors any authority, duty, or function which the Commissioner is authorized or required to exercise or perform under paragraph (1), (2), (3), or (4) of this subsection, or under section 322 or 1027, where the amount involved (exclusive of interest, penalties, additions to the tax, and additional amounts) does not exceed \$10,000."

"(b) Section 3772 of such code is hereby amended by adding at the end thereof the following new subsection:

"(e) Credit treated as payment: The credit of an overpayment of any tax in satisfaction of any tax liability shall, for the purpose of any suit for refund of such tax liability so satisfied, be deemed to be a payment in respect of such tax liability to the collector in office at the time such credit is allowed."

Page 2, after line 21, insert:

"Sec. 10. Reports to Congress of refunds.

"(a) Section 3776 of the Internal Revenue Code (relating to reports to Congress of refunds) is hereby repealed.

"(b) Section 3777 of such code (relating to review of refunds and credits by the Joint Committee on Internal Revenue Taxation) is hereby amended by striking out '\$75,000' wherever appearing therein and inserting in lieu thereof '\$200,000'."

Page 2, after line 21, insert:

"Sec. 11. Collectors' salaries.

"Section 3944 (b) of the Internal Revenue Code (relating to adjustment and limit of collectors' salaries) is hereby amended to read as follows:

"(b) Adjustment and limit of salaries: The salaries of collectors may be readjusted and increased under such regulations as may be prescribed by the Commissioner, subject to the approval of the Secretary, but no collector shall receive a salary in excess of the highest scheduled rate of compensation established by the Classification Act of 1923, as amended, or by any law hereafter enacted superseding such act."

Page 2, after line 21, insert:

"Sec. 12. Expenses of detection of frauds.

"Section 3792 of the Internal Revenue Code is hereby amended by inserting after the words 'The Commissioner,' the following 'under regulations prescribed by him.'"

Amend the title so as to read: "An act to accord privileges of free importation to members of the armed forces of other nations, to grant certain extensions of time for tax purposes, and to facilitate tax administration."

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. JENKINS. Mr. Speaker, reserving the right to object, I just wish to ask my distinguished chairman if what he proposes to do now is what we passed on in the committee yesterday.

Mr. DOUGHTON. It is what we passed on in committee yesterday. It was unanimously agreed to. These amendments have all been considered by the Committee on Ways and Means. Most of the amendments are administrative changes. There are only two changes that might be considered important. One of those is extending the time for filing war claims, and the other is providing that corporations may have additional time in which to settle their indebtednesses. It was agreed that we would not extend the time for either one of these provisions any further. These extensions have been granted two or three times, and this is the last time that they will be extended.

Mr. JENKINS. And you propose to incorporate that statement in the remarks you are going to make today?

Mr. DOUGHTON. Yes. I ask unanimous consent to extend my remarks at this point, Mr. Speaker. It shows the action of the committee taken yesterday.

The SPEAKER. Without objection, it is so ordered.

Mr. DOUGHTON. Mr. Speaker, all of the Senate amendments have been considered by the Committee on Ways and Means. They are contained in sections 2 to 12 of the bill. With the exception of two amendments, the Senate amendments do not change the tax liability of any taxpayer but are purely administrative and will considerably speed up the work of the Bureau of Internal Revenue in the administration of the tax laws.

Of the other two amendments, one relates to an extension of time for filing war-loss claims. The period has been extended in the past several times, but will expire on December 31, 1949. The Senate amendment grants an additional extension to December 31, 1950. This further time is deemed necessary to enable the staff of the Joint Committee on Internal Revenue Taxation and the Treasury to reexamine the war-loss provision and report to the committee whether in their opinion amendatory legislation is desirable. The Committee on Ways and Means believes that the extension in the Senate amendment for one additional year is warranted under the circumstances but serves notice to all parties interested that it will not approve any extension beyond December 31, 1950.

The other amendment provides an extension of the period in which corporations may retire their indebtedness without recognition of gain or loss. The period for allowing this to be done has been extended in the past, the final date now expiring December 31, 1949.

The Senate amendment extends the period one additional year, that is, through December 31, 1950. The Committee on Ways and Means has no objection to this additional extension which was suggested by the Treasury and the staff of the Joint Committee on Internal Revenue Taxation, in order to make a further study of the indebtedness problem. However, our committee desires to serve notice on all interested parties that it will not approve any further extension of this provision of law beyond December 31, 1950.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. DOUGHTON]?

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

#### CALL OF THE HOUSE

Mr. HOFFMAN of Michigan. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

Mr. PRIEST. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 182]

Abbott	Hall,	Phillips, Tenn.
Anderson, Calif.	Leonard W.	Plumley
Bailey	Halleck	Powell
Barden	Hart	Price
Baring	Hébert	Reed, Ill.
Barrett, Pa.	Heffernan	Reed, N. Y.
Bentsen	Heller	Rees
Bland	Herlong	Richards
Blatnik	Hinshaw	Riehlman
Bolton, Ohio	Hollifield	Rivers
Boykin	Hope	Scott,
Breen	Horan	Hugh D., Jr.
Brown, Ohio	Irving	Shafer
Buckley, N. Y.	Jacobs	Slakes
Bulwinkle	Jenison	Simpson, Pa.
Burke	Johnson	Smathers
Burnside	Kearney	Smith, Ohio
Byrne, N. Y.	Keefe	Stanley
Chatham	Kennedy	Tauriello
Clemente	Keogh	Taylor
Clevenger	Kilburn	Teague
Cole, N. Y.	Kirwan	Thomas, N. J.
Coudert	Lesinski	Tollefson
Davies, N. Y.	Lovre	Towe
Dawson	McCormack	Underwood
DeGraffenried	McGregor	Vinson
Denton	McKinnon	Walsh
Dolliver	McSweeney	Welch, Mo.
Dondero	Magee	Werdell
Eaton	Marcantonio	Whitaker
Elston	Martin, Mass.	White, Idaho
Felighan	Miles	Wigglesworth
Fellows	Morton	Winstead
Fogarty	Moulder	Withrow
Fulton	Murphy	Wood
Furcolo	Norblad	Woodhouse
Gilmer	Norton	Worley
Gordon	O'Neill	Zablocki
Gore	Pace	
Gorski, N. Y.	Pfeifer,	
Gregory	Joseph L.	
Gwinn	Pfeiffer,	
Hall,	William L.	
	Edwin Arthur Phillips, Calif.	

The SPEAKER. On this roll call 308 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

#### SUPPLEMENTAL APPROPRIATIONS, 1950

Mr. KERR, from the Committee on Appropriations reported the bill (H. R.



6008) making supplemental appropriations for the fiscal year ending June 30, 1950, and for other purposes (Rept. No. 1266), which was read a first and second time and with the accompanying papers referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. TABER reserved all points of order on the bill.

#### PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill in the calendar.

#### GUSTAV SCHILBRED

The Clerk called the bill (H. R. 1600) for the relief of Gustav Schilbred.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Gustav Schilbred, of Thief River Falls, Minn., the sum of \$510. Such sum shall be in full settlement of all claims against the United States on account of 68 days and 5 hours of annual leave accrued but not taken by the said Gustav Schilbred while employed at an annual salary of \$2,100 as patrol inspector in the Immigration and Naturalization Service: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### MABEL COLLIVER

The Clerk called the bill (H. R. 3499) for the relief of Mabel Colliver.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mabel Colliver, of Minneapolis, Minn., the sum of \$3,000, in full satisfaction of her claim against the United States for personal injuries and expenses, incurred as the result of an accident involving the operation of an ambulance owned by the Veterans' Administration and being operated by Ben Bjerkness, an employee of the Veterans' Administration. That on the 25th day of March 1944, at noon, she was an occupant in the ambulance owned by the Veterans' Administration being operated by said Ben Bjerkness, and through his negligence she was injured by being thrown against the windshield, when said operator suddenly brought the vehicle to a stop at or near the intersection of West Twenty-fourth Street and Blaisdell Avenue South, in Minneapolis, Minn.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction

thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Strike out all after the enacting clause, and insert in lieu thereof: "That jurisdiction is hereby conferred upon the United States District Court for the Central Division of the Southern District of California, to hear, determine, and render judgment upon the claim of Mabel Colliver, of Long Beach, Calif. for damages allegedly sustained as the result of an accident involving an ambulance owned by the United States Veterans' Administration at or near the intersection of West Twenty-fourth Street and Blaisdell Avenue, South, Minneapolis, Minn., on March 25, 1944.

"Sec. 2. Suit upon such claim may be instituted at any time within 1 year from the enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claim, appeals therefrom, and payment of any judgment thereon, shall be in the same manner as in cases over which such court has jurisdiction under the provisions of paragraph twentieth of section 24 of the Judicial Code, as amended."

Mr. TRIMBLE. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. TRIMBLE to the committee amendment: On page 3, line 27, after the words "provisions of" strike out "paragraph 20th of section 24 of the Judicial Code as amended" and insert in lieu thereof "section 1346 of title 28 of the United States Code."

The amendment to the committee amendment was agreed to.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to confer jurisdiction upon the United States District Court for the Central Division of the Southern District of California to hear, determine, and render judgment upon the claim of Mabel Colliver."

A motion to reconsider was laid on the table.

#### ISAIAH JOHNSON

The Clerk called the bill (S. 622) for the relief of Isaiah Johnson.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Isaiah Johnson, of the District of Columbia, (1) a sum equal to the amount of compensation which would have been payable to him for service rendered as an employee of the United States during the period July 1 to July 18, 1945, had such service been rendered as a de jure rather than a de facto employee, and (2) a sum equal to the lump-sum payment for annual leave (a) which had been accumulated by him at the time of the termination of his period of service as a de jure employee of the United States on April 30, 1944, and (b) which would have been credited to the said Isaiah Johnson had his period of service as a civilian employee of the Government of the United States during the period May 1, 1944, to July 18, 1945, been de jure employment, which sums, together with the payments authorized by section 2, shall be in full satisfaction of the claims of the said

Isaiah Johnson for compensation for such service rendered by him and for annual leave accumulated by him, both of which were unpaid, because of the failure of the employing agency of the Government to give him notice of his automatic separation from the service of the United States upon reaching the age of 70 under the provisions of the Civil Service Retirement Act then in force: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Sec. 2. The Civil Service Commission is authorized and directed to recompute the annuity of the said Isaiah Johnson, under the Civil Service Retirement Act of May 29, 1930, as amended, as of the date of his retirement, and, for the purposes of such recomputation, service performed by him as a de facto employee of the United States from May 1, 1944, to July 18, 1945, shall be considered as creditable service in the employment of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### MRS. MARY CAPODANNO

The Clerk called the bill (H. R. 1484) for the relief of Mrs. Mary Capodanno and the legal guardian of Vincent Capodanno.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Mary Capodanno, of Somerville, Mass., the sum of \$2,500, and to the legal guardian of Vincent Capodanno, of Somerville, Mass., the sum of \$1,500. The payment of such sums shall be in full settlement of all claims against the United States of the said Mrs. Mary Capodanno and on behalf of the said Vincent Capodanno for personal injuries sustained by them, resulting from an accident which occurred on April 8, 1944, when the car in which the said Mrs. Mary Capodanno and the said Vincent Capodanno were riding, was struck by a United States Navy truck at the intersection of Webster Avenue and Prospect Street, Somerville, Mass.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 6, strike out "\$2,500", and insert in lieu thereof "\$884.84."

Page 1, line 8, strike out "\$1,500", and insert in lieu thereof "\$354.93."

Page 1, line 9, after the word "States", insert "and against Francis M. Regan, an employee of the United States."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third

time, and passed, and a motion to reconsider was laid on the table.

#### GLUCKIN CORP.

The Clerk called the ball (H. R. 3498) for the relief of the Gluckin Corp.

Mr. DEANE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

#### MRS. SARAH E. THOMPSON

The Clerk called the bill (H. R. 4563) for the relief of Mrs. Sarah E. Thompson.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (U. S. C., 1940 edition, title 5, secs. 751-791), the death of William Harvey Thompson, a prohibition agent of the Bureau of Internal Revenue, which occurred on or about August 3, 1927, as a result of his being shot by a member of the police department of Tacoma, Wash., on July 27, 1927, while he was collecting evidence to be used in the enforcement of the National Prohibition Act, shall be held and considered to have resulted from a personal injury sustained while in the performance of his duty as prohibition agent. The claim of Mrs. Sarah E. Thompson, dependent mother of the said William Harvey Thompson, on account of his death, shall be considered and acted upon by the Bureau of Employees' Compensation as if such death had resulted from a personal injury sustained while in the performance of his duty as prohibition agent, but only if such claim is filed with the Bureau of Employees' Compensation not later than 1 year after the date of enactment of this act.

Sec. 2. The compensation which the said Mrs. Sarah E. Thompson may be entitled to receive as a result of the enactment of this act shall commence as of the date on which such compensation is awarded by the Bureau of Employees' Compensation.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### JOE D. DUTTON

The Clerk called the bill (H. R. 5777) for the relief of Joe D. Dutton.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$90, to Joe D. Dutton, of Griffin, Ga. Such sum is reimbursement for the amount of a certain forged post office money order No. 15746, cashed by him while serving as Army mail clerk at Army post office 584, Trier, Germany, on June 16, 1945, for which he was held accountable: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction

thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### JOHN SIDNEY MCCAIN

The Clerk called the joint resolution (H. J. Res. 281) to authorize the President to issue posthumously to the late John Sidney McCain, vice admiral, United States Navy, a commission as admiral, United States Navy, and for other purposes.

There being no objection, the Clerk read the resolution, as follows:

*Resolved, etc.,* That the President is authorized to issue posthumously to the late John Sidney McCain, late a vice admiral, United States Navy, a commission as admiral, United States Navy as of September 6, 1945.

Sec. 2. The Secretary of the Navy is authorized and directed to amend the records of the Navy Department so as to carry the said John Sidney McCain as an admiral, United States Navy, to rank from September 6, 1945.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### W. W. STEWART

The Clerk called the bill (H. R. 3864) to return certain lands taken from W. W. Stewart by the United States.

There being no objection, the Clerk read the bill as follows:

*Be it enacted, etc.,* That the Secretary of the Air Force is authorized and directed to donate and convey on behalf of the United States to the estate of W. W. Stewart all the right, title, and interest of the United States in and to all that tract of land lying to the north of relocated State route 337, which was formerly owned by the said W. W. Stewart and which is a portion of the land taken from him by declaration of taking No. 3, civil No. 1717, which was filed on November 7, 1942, in the United States District Court for the District of Maryland under the title of United States against 3,250 acres of land, more or less, in Prince Georges County, State of Maryland, and J. D. Hart et al.

With the following committee amendments:

On page 1, line 4, strike out the words "donate and."

On page 1, line 5, immediately following the name "W. W. Stewart" add the words "for a fair value to be determined by the Secretary."

On page 1, line 7, after the number "337" add the words "consisting of 8 acres, more or less."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to convey certain lands taken from W. W. Stewart by the United States."

A motion to reconsider was laid on the table.

#### PATENT IN FEE TO LEO FARWELL GLENN

The Clerk called the bill (S. 520) to authorize and direct the Secretary of the Interior to issue to Leo Farwell Glenn, a Crow allottee, a patent in fee to certain lands.

There being no objection, the Clerk read the bill as follows:

*Be it enacted, etc.,* That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to Leo Farwell Glenn, Crow allottee No. 3234, a patent in fee to the following-described lands in the State of Montana: West half west half, section 26; east half east half, east half west half east half, east half west half northeast quarter, north half south half northeast quarter, section 34, township 3 south, range 27 east; and the west half southeast quarter section 30, west half northeast quarter, northwest quarter southeast quarter, lots 6, 7, and 8, section 31, township 4 south, range 27 east, Montana principal meridian, containing 880 acres.

With the following committee amendment:

Page 2, line 5, after the word "acres:" insert "Provided, That when the land herein described is offered for sale, the Crow Tribe, or any Indian who is a member of said tribe, shall have 90 days in which to execute preferential rights to purchase said tract at a price offered to the seller by a prospective buyer willing and able to purchase."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### PATENT IN FEE TO JOHN GRAYEAGLE

The Clerk called the bill (S. 1361) to authorize and direct the Secretary of the Interior to issue to John Grayeagle a patent in fee to certain land.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to John Grayeagle of Bullhead, S. Dak., a patent in fee to the following-described lands allotted to him in the State of South Dakota: The southeast quarter of section 23, township 21, range 25, the west half of section 23, township 21, range 25.

With the following committee amendment:

Page 1, line 9, after "range 25:" insert "Provided, That when the land herein described is offered for sale, the Standing Rock Sioux Tribe, or any Indian who is a member of said tribe, shall have 90 days in which to execute preferential rights to purchase said tract at a price offered to the seller by a prospective buyer willing and able to purchase."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### JOSEPHINE LISITANO

The Clerk called the bill (H. R. 1485) for the relief of Josephine Lisitano.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000, to Josephine Lisitano, of Boston, Mass., in full settlement of all claims against the United States for the death and conscious suffering of her husband, Charles Lisitano, of Boston, Mass., resulting from wounds inflicted upon Charles



Lisitano, deceased, by a bullet fired from a service pistol by an enlisted member of the naval forces of the United States at Braintree, Mass., on April 20, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WADE H. NOLAND

The Clerk called the bill (H. R. 2854) for the relief of Wade H. Noland.

Mr. LICHTENWALTER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

MRS. DOROTHY M. EVANS

The Clerk called the bill (H. R. 3081) for the relief of Mrs. Dorothy M. Evans.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Dorothy M. Evans, of Bakersfield, Calif., the sum of \$6,500, in full settlement of all claims against the United States for damages sustained on account of the death of her husband, Maurice Gwinn Evans, as a result of personal injuries sustained by him on October 24, 1944, when the automobile in which he was riding as a passenger was struck by an Army truck at the intersection of Kern Island Road and Taft Highway, Kern County, Calif.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, strike out "Mrs. Dorothy M. Evans" and insert in lieu thereof "the estate of Maurice G. Evans."

Page 1, line 9, strike out "her husband" and insert the words "the said."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the estate of Maurice G. Evans."

A motion to reconsider was laid on the table.

CARL C. BALLARD

The Clerk called the bill (H. R. 3863) for the relief of Carl C. Ballard.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Carl C. Ballard, Hugo, Okla., the sum of \$25,000. The payment of such sum shall be in full settlement of all claims of the said Carl C. Ballard against the United States on account of total and permanent disability arising from injuries to his right ankle and leg, and to his back and neck, incurred on January 27, 1944, when the automobile which he was operating was struck by any Army ambulance on United States Highway 171, 3 miles north of Leesville, La.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$25,000" and insert "\$15,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. The Chair suggests that the next to the last word in the last line of page 1 of H. R. 3863 be changed from "any" to "an."

Without objection the correction will be made.

There was no objection.

W. P. BARTEL

The Clerk called the bill (H. R. 4095) for the relief of W. P. Bartel.

The SPEAKER. Is there objection?

There was no objection.

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent to substitute a similar Senate bill S. 2170.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the Senate bill as follows:

*Be it enacted, etc.*, That W. P. Bartel, certifying officer of the Interstate Commerce Commission, is hereby relieved of all liability to the United States incurred by reason of the payment of \$67.32 to Milford M. Tinsley in March 1943, for traveling and other expenses incurred in connection with a change of official headquarters, such payment having been held by the Comptroller General of the United States to be erroneous because travel was performed prior to the date of the travel order.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 4095) was laid on the table.

J. D. LECKY

The Clerk called the bill (H. R. 4777) for the relief of J. D. Lecky.

There being no objection, the Clerk read the bill as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. D. Lecky, Richmond, Va., the sum of \$1,000. The payment of such sum shall be in full settlement of all claims of the said J. D. Lecky against the United States for the assistance which he rendered in connection with the recovery by the United States of \$6,810 on account of certain fire-insurance premiums: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. JACK J. O'CONNELL

The Clerk called the bill (H. R. 4889) for the relief of Mrs. Jack J. O'Connell.

There being no objection, the Clerk read the bill as follows:

*Be it enacted, etc.*, That in the payment of the 6 months' gratuity under the act of December 17, 1919 (41 Stat. 367), Capt. Jack J. O'Connell, late of the Air Corps, United States Army, who died on December 2, 1934, shall be considered to have been qualified by examination for and to have accepted appointment to the grade of captain on October 1, 1934, the date upon which he was promoted to the grade of captain: *Provided*, That the amount of any gratuity already paid to the widow of Captain O'Connell shall be deducted from the gratuity paid under the provisions of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BELLE ISLE CAB CO., INC.

The Clerk called the bill (H. R. 5582) for the relief of the Belle Isle Cab Co., Inc.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Belle Isle Cab Co., Inc., of Baltimore, Md., the sum of \$1,773.37. The payment of such sum shall be in full settlement of all claims of such company against the United States arising from a collision, on September 12, 1944, in Baltimore, Md., involving a taxicab, owned by such company and operated by its agent, and a United States Maritime Commission truck. A passenger in such taxicab, who was injured in the collision, brought suit in the Superior Court of Baltimore City against such company and the driver of the Government truck. Judgment was rendered against both defendants in the amount of \$3,500, plus court costs of \$46.75. Due to the inability of the driver of the truck to pay his part of the judgment, such company was compelled to pay the entire sum of \$3,546.75. Later such company reduced to judgment against such driver one-half of such amount, or \$1,773.37, which judgment is unsatisfied: *Provided*, That no part of the amount appropriated in

this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 2, line 1, after the comma, insert, "truck, and also in full settlement of all judgments held by the Belle Isle Cab Co., Inc., against Dr. Pleasant, the truck driver employed by War Shipping Administration."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### GHETEL POLLAK KAHAN, ET AL.

The Clerk called the bill (S. 331) for the relief of Ghétel Pollak Kahan, Magdalena Linda Kahan (wife), and Susanna Kahan (daughter, 12 years old).

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That, in the administration of the immigration and naturalization laws, the Attorney General is authorized and directed to record Ghétel Pollak Kahan, Magdalena Linda Kahan (wife), and Susanna Kahan (daughter, 12 years old), as having entered the United States on August 21, 1945, for permanent residence. The said Ghétel Pollak Kahan, Magdalena Linda Kahan (wife), and Susanna Kahan (daughter, 12 years old), shall not be subject to deportation by reason of such entry.

With the following committee amendment:

Page 2, line 1, insert a new section: "Sec. 2. Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct three numbers from the quota for Rumania of the first year that such quota numbers are available."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### EIKO NAKAMURA

The Clerk called the bill (S. 555) for the relief of Eiko Nakamura.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the provisions of the immigration laws relating to the exclusion of aliens inadmissible because of race shall not hereafter apply to Eiko Nakamura, Tokyo, Japan, the Japanese fiancée of James L. West, a citizen of the United States and an honorably discharged veteran of World War II, and that Eiko Nakamura may be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided,* That the administrative authorities find that the said Eiko Nakamura is coming to the United States with a bona fide intention of being married to said James L. West, and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named parties does not occur within 3 months after the entry of said Eiko Nakamura, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the

provisions of sections 19 and 20 of the Immigration Act of February 5, 1917 (U. S. C. title 8, secs. 155 and 156). In the event the marriage between the above-named parties shall occur within 3 months after the entry of said Eiko Nakamura, the Attorney General is authorized and directed to record the lawful admission for permanent residence of said Eiko Nakamura as of the date of her entry into the United States, upon the payment by her of the required fees and head taxes.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### WILLIAM (VASILIOS) KOTSAKIS

The Clerk called the bill (S. 787) for the relief of William (Vasilios) Kotsakis. There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That, for the purposes of immigration and naturalization laws, William (Vasilios) Kotsakis shall be considered to be the natural-born son of Mr. and Mrs. Nick Canellis, of Billings, Mont., citizens of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### ROMAN SZYMANSKI AND ANASTOSIA SZYMANSKI

The Clerk called the bill (S. 1026) for the relief of Roman Szymanski and Anastosia Szymanski.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of the immigration and naturalization laws the Attorney General of the United States shall record the lawful admission for permanent residence of Roman Szymanski and Anastosia Szymanski, his spouse, as of December 22, 1947, the date of their last entry into the United States, upon payment of the required visa fee and head tax. Upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### MANUEL URIBE

The Clerk called the bill (H. R. 715) for the relief of Manuel Uribe.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of the immigration laws, Manuel Uribe, a national of Spain now residing in Mexico and the husband of Iva Uribe, a citizen of the United States living in Pomona, Calif., shall, upon application at a port of entry into the United States, be admitted for permanent residence without an immigration visa, provided he meets all the other requirements of the immigration laws. Upon his admission into the United States, the Secretary of State shall deduct one number from the quota for Spain for the year in which the admission occurs or from the quota of the first available succeeding year.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That notwithstanding the provisions of the eleventh cate-

gory of section 3 of the Immigration Act of February 5, 1917, as amended (8 U. S. C. 136 (e)), insofar as concerns any act or acts of Manuel Uribe, also known as Arquimedes Manuel Uribelarrea-Alvarez, of which the Department of State or the Department of Justice has notice at the time of enactment of this act, the said Manuel Uribe may be admitted to the United States for permanent residence if he is not found to be otherwise inadmissible under the provisions of the immigration laws."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### FERNANDO ABOITIZ

The Clerk called the bill (H. R. 5149) for the relief of Fernando Aboitiz.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That (a) Mr. Fernando Aboitiz, a former citizen of the United States, may be naturalized by taking, prior to 1 year from the enactment of this act, before any naturalization court specified in subsection (a) of section 301 of the Nationality Act of 1940, as amended, or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 335 of the said act.

(b) From and after naturalization under this act, Mr. Fernando Aboitiz shall have the same citizenship status as that which existed immediately prior to its loss.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That in the administration of the immigration and naturalization laws the Attorney General is authorized to record the lawful admission for permanent residence of Mr. Fernando Aboitiz, who entered the United States on August 27, 1947, at the port of New Orleans, La., upon payment of the required visa fee and head tax.

"Sec. 2. Upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the quota for the Philippine Islands for the first year that such quota number is available."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### MRS. HILDA DE SILVA

The Clerk called the bill (H. R. 5375) for the relief of Mrs. Hilda De Silva.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That notwithstanding the provisions relating to illiteracy in section 3 of the Immigration Act of 1917, as amended, Mrs. Hilda De Silva, of Bermuda, four of whose children are residents and citizens of the United States, may be admitted to the United States for permanent residence, if she is otherwise admissible under the immigration laws.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### MRS. CLAUDIA WEITLANNER

The Clerk called the bill (H. R. 5539) for the relief of Mrs. Claudia Weitlanner.



There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Attorney General be, and he is hereby, authorized and directed to record the lawful admission for permanent residence of Mrs. Claudia Weitlanner as of March 24, 1949, the date on which she was originally admitted as a student.

SEC. 2. Upon enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the quota for Austria for the first year that said quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### MRS. TOSHIKO KEYSER

The Clerk called the bill (H. R. 5851) for the relief of Mrs. Toshiko Keyser.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That notwithstanding the provisions of section 13 (c) of the Immigration Act of 1924, as amended, Mrs. Toshiko Keyser, a Canadian citizen of Japanese descent, who is the spouse of Donald E. Keyser, a United States citizen and an honorably discharged veteran of World War II, shall be admitted to the United States for permanent residence upon application hereafter filed if she is otherwise admissible under the immigration laws.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### DICK WALOOK AND ALFRED L. WOODS

The Clerk called the bill (H. R. 587) for the relief of Dick Walook and Alfred L. Woods.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the following, in full settlement of all claims against the United States for reimbursement of the amounts they expended for necessary travel expenses, in addition to any amounts paid to them by the United States for such purposes, in traveling from the places of their discharges, as indicated, from the Army of the United States to their homes: To Dick Walook (ASN 39825588), of Wainwright, Alaska, from Fort Lewis, Wash., to Wainwright, Alaska, the sum of \$263.75, and to Alfred L. Woods (ASN 39846592), of Rampart, Alaska, from Fort Richardson, Alaska, to Rampart, Alaska, the sum of \$39.85: *Provided,* That no part of any of the sums appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claims settled by the payment of such sums, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 11, between the words "To" and "Dick" insert "the estate of."

Page 2, line 2, after the figures "\$263.75", strike out "and."

Page 2, line 5, strike out the colon, and insert "and to Edward Kimoktoak (ASN 39825719), of Koyuk, Alaska, from Walla

Walla, Wash., to Koyuk, Alaska, the sum of \$247."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the estate of Dick Walook, Alfred L. Woods, and Edward Kimoktoak."

A motion to reconsider was laid on the table.

#### JACOB BROWN

The Clerk called the bill (H. R. 1024) for the relief of Jacob Brown.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jacob Brown, Wilmington, Del., the sum of \$3,184, together with interest on such sum at the rate of 6 percent per annum beginning on July 1, 1944, and ending on the date of enactment of this act. The payment of such sum and interest shall be in full settlement of all claims of the said Jacob Brown against the United States for restitution of such sum which is the amount he paid on July 1, 1944, for plumbing supplies offered for sale by the United States at a public auction held by the collector of internal revenue at Wilmington, Del. It has been judicially determined subsequent to July 1, 1944, that the United States had no title or interest in said plumbing supplies and that the said Jacob Brown received no title thereto: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, after the figure strike out the balance of line 6, all of line 7, and line 8 down to and including the word "act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### KING V. CLARK

The Clerk called the bill (H. R. 1106) for the relief of King V. Clark.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$10,000 to King V. Clark, of Horse Cave, Ky., in full settlement of all claims against the United States for personal injuries, medical and hospital expenses sustained as a result of an accident involving a United States Army vehicle on the Fort Knox, Ky., reservation, on or about July 13, 1941: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any

contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 5, strike out "\$10,000" and insert in lieu thereof "\$4,500."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### FRANK G. MOORE

The Clerk called the bill (H. R. 2075) for the relief of Frank G. Moore.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to Frank G. Moore, of Atlanta, Ga., in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, and loss of wages sustained as a result of an accident involving a United States Marine Corps vehicle at the intersection of Sulphur Springs Road, Halethorpe, Md., and Washington-Baltimore Boulevard, on July 21, 1943: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### MORRIS TUTNAUER

The Clerk called the bill (H. R. 2266) for the relief of Morris Tutnauer.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Morris Tutnauer, of New York City, N. Y., the sum of \$28,365.50, in full settlement of all claims against the United States by said Morris Tutnauer on account of the injuries sustained by him when an automobile being operated by him was struck by a War Department automobile on July 22, 1943, in Queens County, New York City, N. Y., said War Department automobile being operated by a private of the United States Army: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$28,365.50" and insert "\$10,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DORIS M. FAULKNER

The Clerk called the bill (H. R. 3769) for the relief of Doris M. Faulkner.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (U. S. C., 1940 edition, title 5, secs. 765-770), the Bureau of Employees' Compensation is hereby authorized and directed to receive and consider, when filed, the claim of Doris M. Faulkner for compensation under such act, within 6 months from the date of enactment of this act, on account of disability alleged to have been contracted in performance of duty prior to May 31, 1932, while she was employed as a seamstress at the Wahpeton Indian School, Wahpeton, N. Dak.; and the Bureau, after such consideration of such claim, shall determine and make findings of fact hereon and make an award for or against payment of compensation provided for in such act of September 7, 1916, as amended: *Provided*, That no benefits shall accrue prior to the enactment of this act.

With the following committee amendment:

Page 1, line 9, strike out "Bureau of Employees' Compensation" and insert "Federal Security Administration."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CECIL E. GORDON

The Clerk called the bill (H. R. 3810) for the relief of Cecil E. Gordon.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Cecil E. Gordon, of Port Angeles, Wash., the sum of \$394.83. Payment of such sum shall be in full settlement of all claims against the United States arising out of the transportation of the household goods of the said Cecil E. Gordon, a civilian employee of the Department of War, from Fort Douglas, Utah, to Fort Worden, Wash., on June 25, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELMO SODERGREN

The Clerk called the bill (H. R. 4556) for the relief of the estate of Elmo Sodergren.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Elmo Sodergren, late of Stockholm, Maine, the sum of \$686.62. The payment of such sum shall be in full settlement of all claims of such estate against the United States for payment, under the price-support program, for the 1946 potato crop of the said Elmo Sodergren: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAX SCHLEDERER

The Clerk called the bill (H. R. 5353) for the relief of Max Schlederer.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That Max Schlederer, Arlight, Calif., is relieved of all liability to refund to the United States amounts paid to him for services as postmaster at the Concepcion (Calif.) post office, during the period when he was not eligible to receive compensation from funds appropriated for the Post Office Department because the combined amount of his salary as postmaster and his salary as an employee of the United States Coast Guard at the Point Concepcion Light Station exceeded the sum of \$2,000 per annum. Any amounts heretofore credited to him or refunded to the United States by him on account of such unauthorized payment to him shall be repaid to him out of any money available for the payment of postmasters' salaries. In the audit and settlement of the accounts of any disbursing officer of the United States the payment of such amounts for services as postmaster shall be considered to have been authorized.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KATHERINE H. CLAGETT

The Clerk called the bill (H. R. 4165) for the relief of Katherine H. Clagett.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Katherine H. Clagett, of Harwood, Md., the sum of \$675. The payment of such sum shall be in full settlement of all claims of the said Katherine H. Clagett against the United States arising out of services rendered by her to the George Washington Bicentennial Commission, between June 30, 1940, and November 15, 1940, both dates inclusive, in connection with the compilation of the definitive writings of George Washington: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed

guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRED B. NISWONGER

The Clerk called the bill (H. R. 3804) for the relief of Fred B. Niswonger.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Fred B. Niswonger, of Weed, Calif., the sum of \$966.64. The payment of such sum shall be in full settlement of all claims of the said Fred B. Niswonger against the United States for reimbursement for the loss of salary which he sustained, for the period beginning February 1, 1946, and ending May 31, 1946, as a result of not being restored to his former position of postal clerk in the United States post office at Weed, Calif., immediately following his honorable discharge from the Army on January 31, 1946. The said Fred B. Niswonger was subsequently restored to such position pursuant to order of the Civil Service Commission: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VIVIAN NEWELL PRICE

The Clerk called the bill (H. R. 3405) for the relief of Vivian Newell Price.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Vivian Newell Price, Franklin County, N. C., the sum of \$11,277. The payment of such sum shall be in full settlement of all claims of the said Vivian Newell Price against the United States for personal injuries and property damage sustained by her on September 13, 1941, when the automobile which she was driving was struck by a United States Army truck near the intersection of the old Rockingham-Elber Road and Elber Road in Richmond County, N. C.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$11,277" and insert "\$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third



time, and passed, and a motion to reconsider was laid on the table.

#### FISHER BREWING CO.

The Clerk called the bill (H. R. 2758) for the relief of the Fisher Brewing Co. There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,200, representing the amount paid for four fermented malt liquor stamps of the 800-barrel denomination which were lost between the office of the Collector of Internal Revenue and the office of the Fisher Brewing Co. by the said company: *Provided*, That the Fisher Brewing Co. shall first file in the Treasury Department a bond in the penal sum of double the amount paid for such stamps, in such form and with such surety or sureties as may be acceptable to the Secretary of the Treasury, to indemnify and save harmless the United States from any loss on account of the stamps herein described: *Provided*, That no part of the amount appropriated in the act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney or account of the services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. TRIMBLE. Mr. Speaker, I offer an amendment.

The Clerk read, as follows:

Amendment offered by Mr. TRIMBLE: On page 1, line 7, strike out "eight" and insert "one."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### THE HOLY NAME SOCIETY

The Clerk called the bill (H. R. 5319) granting a renewal of patent No. 40,029, relating to the badge of the Holy Name Society.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That a certain design patent issued by the United States Patent Office of date of June 8, 1909, being patent No. 40,029, is hereby renewed and extended for a period of 14 years from and after the date of approval of this act, with all the rights and privileges pertaining to the same, being generally known as the badge of the Holy Name Society.

With the following committee amendment:

Page 1, line 6, strike out "approval of this act" and insert "expiration of Public Law 628, Seventy-fourth Congress, approved May 28, 1936."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### GLUCKIN CORP.

Mr. DEANE. Mr. Speaker, I ask unanimous consent to return for immediate consideration to Private Calen-

dar No. 453, the bill (H. R. 3498) for the relief of the Gluckin Corp.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$26,256.52, to the Gluckin Corp., in full and final settlement of all claims growing out of War Department contracts numbered W-669-qm-20513, W-669-qm-23175, and W-669-qm-20380, as amended and modified, for the furnishing of mattress covers and sandfly bars the said sum being the aggregate of the following items: Under contract Nos. 20513, \$303.16 for 379 sandfly bars delivered to, inspected, accepted, and retained by the Government but not paid for; under contract No. 23175, \$2,089.44 for liquidated damages assessed for delays in deliveries; under contract No. 20380, (a) \$6,300 for liquidated damages assessed for delays in deliveries, (b) \$2,848.30 for penalties assessed for extra cost on 75,000 units terminated and relet by the Government to others at an increased price (including increased freight cost of \$448.30); (c) \$12,465.62 for net loss on units manufactured by claimant; and (d) \$2,250 for net loss on 50,000 units subcontracted by claimant to others at higher price: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the presentation of this claim to the proper committees of Congress, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, strike out "\$26,256.52" and insert "\$11,540.90."

Page 2, line 10, strike out beginning with the semicolon down to and including the word "price" on line 13.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### MINORITY REPORT

Mr. JACKSON of California. Mr. Speaker, I ask unanimous consent that I may have until midnight tomorrow night to file supplemental minority views on the bill (H. R. 5895) to accompany House Report 1265.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

#### ROCKY MOUNTAIN NATIONAL PARK, COLO.

Mr. PETERSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3440) for the addition of certain lands to Rocky Mountain National Park, Colo., and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 18, strike out "two" and insert "five."

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

#### FEDERAL TRADE COMMISSION ACT AND THE CLAYTON ACT

Mr. WALTER. Mr. Speaker, I call up the bill (S. 1008) to define the application of the Federal Trade Commission Act and the Clayton Act to certain pricing practices, with House amendments, and move that the House insist on its amendments, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The Clerk read the House amendments as follows:

Page 2, line 15, strike out all after "faith" down to and including "competition" in line 17 and insert "except where such absorption of freight would be such that its effect upon competition may be that prohibited by this section)."

Page 3, lines 9 and 10, strike out "(other than a discrimination which will substantially lessen competition)" and insert "(if the discrimination is not such that its effect upon competition may be that prohibited by this section)."

Page 3, line 14, after "competitor" insert ", and this may include the maintenance, above or below the price of such competitor, of a differential in price which such seller customarily maintains."

Page 4, line 7, strike out "substantial and probative evidence" and insert "reasonable probability."

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania (Mr. WALTER).

#### CALL OF THE HOUSE

Mr. PATMAN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. PRIEST. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 183]

Abbitt	DeGraffenried	Hinshaw
Anderson, Calif.	Denton	Hobbs
Bailey	Dolliver	Hoffman, III.
Barden	Eaton	Holifield
Baring	Elston	Horan
Barrett, Pa.	Engle, Calif.	Irving
Biemiller	Felghan	Jacobs
Bland	Fellows	Jenison
Blatnik	Fogarty	Jennings
Bolton, Ohio	Fulton	Johnson
Boykin	Furcolo	Kearney
Breen	Gilmer	Kee
Brown, Ohio	Gordon	Keeffe
Buckley, N. Y.	Gore	Kennedy
Bulwinkle	Gorski, N. Y.	Keogh
Burke	Gregory	Kilburn
Byrne, N. Y.	Gwinn	Lesinski
Chatham	Halleck	Love
Clemente	Harris	McConnell
Clevenger	Hart	McCormack
Cole, N. Y.	Hays, Ark.	McGregor
Coudert	Hébert	McKinnon
Cox	Heffernan	McSweeney
Crosser	Heller	Macy
Davies, N. Y.	Herlong	Magee
Dawson	Herter	Mansfield

Marcantonio	Poulson	Tauriello
Miles	Powell	Taylor
Miller, Calif.	Price	Teague
Morgan	Rankin	Thomas, N. J.
Morton	Reed, Ill.	Tollefson
Moulder	Reed, N. Y.	Towe
Murphy	Rees	Vinson
Norblad	Riehlman	Walsh
Norton	Rivers	White, Idaho
Pace	Scott	Wigglesworth
Pfeifer	Hugh D., Jr.	Winstead
Joseph L.	Shafer	Withrow
Pfeiffer	Sikes	Wood
William L.	Simpson, Pa.	Woodhouse
Phillips, Tenn.	Smith, Ohio	Worley
Plumley	Stanley	

The SPEAKER pro tempore (Mr. COOPER). On this roll call 308 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

#### FEDERAL TRADE COMMISSION ACT AND THE CLAYTON ACT

Mr. WALTER. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. WALTER].

The motion was agreed to.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. CELLER, WALTER, WILLIS, MICHENER, and CASE of New Jersey.

There was no objection.

#### SPECIAL ORDER GRANTED

Mr. WELCH of California asked and was given permission to address the House today for 10 minutes following any special orders heretofore entered.

#### EXTENSION OF REMARKS

Mr. PHILBIN asked and was given permission to extend his remarks in the RECORD and include a speech.

Mr. DONOHUE asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. VURSELL asked and was given permission to extend his remarks in the RECORD.

#### COMMITTEE ON RULES

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file reports.

The SPEAKER pro tempore. Is there objection to the gentleman from Tennessee?

There was no objection.

#### COMMITTEE ON FOREIGN AFFAIRS

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may have until midnight tonight to file a supplemental report on H. R. 5895.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Michigan [Mr. DONDERO] is recognized for 30 minutes.

#### MODERN ART SHACKLED TO COMMUNISM

Mr. DONDERO. Mr. Speaker, quite a few individuals in art, who are sincere in

purpose, honest in intent, but with only a superficial knowledge of the complicated influences that surge in the art world of today, have written me—or otherwise expressed their opinions—that so-called modern or contemporary art cannot be Communist because art in Russia today is realistic and objective.

The left-wing art magazines advance the same unsound premises of reasoning, asserting in editorial spasms that modern art is real American art. They plead for tolerance, but in turn tolerate nothing except their own subversive "isms."

The human art termites, disciples of multiple "isms" that compose so-called modern art, boring industriously to destroy the high standards and priceless traditions of academic art, find comfort and satisfaction in the wide dissemination of this spurious reasoning and wickedly false declaration, and its casual acceptance by the unwary.

This glib disavowal of any relationship between communism and so-called modern art is so pat and so spontaneous a reply by advocates of the "isms" in art, from deep, Red Stalinist to pale pink publicist, as to identify it readily to the observant as the same old party-line practice. It is the party line of the left wingers, who are now in the big money, and who want above all to remain in the big money, voiced to confuse the legitimate artist, to disarm the arousing academician, and to fool the public.

As I have previously stated, art is considered a weapon of communism, and the Communist doctrinaire names the artist as a soldier of the revolution. It is a weapon in the hands of a soldier in the revolution against our form of government, and against any government or system other than communism.

From 1914 to 1920 art was used as a weapon of the Russian Revolution to destroy the Czarist Government, but when this destruction was accomplished, art ceased to be a weapon and became a medium of propaganda, picturing and extolling the imaginary wonders, benefits and happiness of existence under the socialized state.

Let me trace for you a main artery from the black heart of the isms of the Russian Revolution to the very heart of art in America.

In 1914 Kandinsky, a Russian-born Expressionist and nonobjective painter, who found it safer to live in Germany, returned to Russia, and 3 years later came the revolution. He is the man who preached that art must abandon the logical and adopt the illogical. He dominated a group of black knights of the isms, who murdered the art of the Russian academies. They were Cubists, Futurists, Expressionists, Constructionists, Suprematists, Abstractionists, and the rest of the same ilk. Kandinsky was a friend of Trotsky, and after the revolution founded the Moscow Institute of Art Culture. He was Communist leader in Red art—the commissar of the isms.

Kandinsky remained in Russia until 1921, when the art of the isms began to feel the iron grip of the new art control, the art for the sake of propaganda, the art of social realism. Kandinsky went back to Germany.

The Communist art that has infiltrated our cultural front is not the Communist art in Russia today—one is the weapon of destruction, and the other is the medium of controlled propaganda. Communist art outside Russia is to destroy the enemy, and we are the enemy of communism. Communist art in Russia is to delude the Russian workers.

The art of the isms, the weapon of the Russian Revolution, is the art which has been transplanted to America, and today, having infiltrated and saturated many of our art centers, threatens to overawe, override and overpower the fine art of our tradition and inheritance. So-called modern or contemporary art in our own beloved country contains all the isms of depravity, decadence, and destruction.

What are these isms that are the very foundation of so-called modern art? They are the same old lot of the Russian Revolution, some with transparent disguises, and others added from time to time as new convulsions find a new designation. I call the roll of infamy without claim that my list is all-inclusive: dadaism, futurism, constructionism, suprematism, cubism, expressionism, surrealism, and abstractionism. All these isms are of foreign origin, and truly should have no place in American art. While not all are media of social or political protest, all are instruments and weapons of destruction. To trace the origin, development and history of all these isms is a task too lengthy for the time available to me here, and also beyond the scope of my intention. But I do tag them specifically, as well as generally, as instruments of destruction. Cubism aims to destroy by designed disorder.

Futurism aims to destroy by the machine myth. The futurist leader, Marinetti, said: "Man has no more significance than a stone."

Dadaism aims to destroy by ridicule.

Expressionism aims to destroy by aping the primitive and insane. Klee, one of its three founders, went to the insane asylums for his inspiration.

Abstractionism aims to destroy by the creation of brainstorms.

Surrealism aims to destroy by the denial of reason.

Let me touch briefly on some of the "isms": The four leaders of the Cubist group were Picasso, Braque, Leger, and Duchamp, but what these reds are today is another matter. The artists of the "isms" change their designations as often and as readily as the Communist front organizations. Picasso, who is also a Dadaist, an abstractionist, or a surrealist, as unstable fancy dictates, is the hero of all the crackpots in so-called modern art. The left-wing critics call him the "gag" by which American modernists may measure their own radical worth, and a dozen years ago it was arranged that he address his disciples in the Red American Artists Congress by international telephone hook-up. But no matter what others call Picasso, he has said of himself: "I am a Communist and my painting is Communist painting."

Concerning the other three, Braque, Leger, and Duchamp, there is variation



only in degree of unbalance. Leger and Duchamp are now in the United States to aid in the destruction of our standards and traditions. The former has been a contributor to the Communist cause in America; the latter is now fancied by the neurotics as a surrealist.

The founding of surrealism is attributed to one Andre Breton. Samuel Putnam, former Red art critic for the Communist publication *New Masses*, says: "The surrealists are avowed Communists."

In his book, *The Politics of the Unpolitical*, Herbert Read, English author advocate of surrealism, says surrealism "is actually Communist, though generally anti-Stalinist. They are performing a very important revolutionary function. The particular method they adopt is to so mingle fact and fancy that the normal concept of reality no longer has existence."

There is a book titled "Out of This Century," written by one Peggy Guggenheim, formerly owner of Modern Art Galleries in London and New York, and financial sponsor of Herbert Read. This book is vile, and its further sale has been stopped. In its pages are many truths, carelessly revealed, concerning persons now notorious in modern art. Max Ernst, a surrealist, was formerly married to the author.

According to the printed statement of Peggy Guggenheim, the Museum of Modern Art in New York arranged the flight passage of Max Ernst to the United States, and paid a deposit to hold a reservation for him at Lisbon. This is the same Max Ernst who directed the 1920 Dadaist exhibition in Cologne, where the only entrance was through a public urinal. The approach was but a non-prophylactic dose of the main exhibit. Baargeld, the artist leader of the Dadaists in Cologne, was also leader of the Communist Party in the same district.

Yves Tanguy, a French surrealist, now transplanted to the United States, was a signer of the revolutionary manifesto of the surrealists, and a beneficiary of the largess of the same Peggy Guggenheim.

Matta—Echaurren—a Chilean and an intimate of Max Ernst, has now sunk his taproot deep into America's rich soil. According to the same Peggy Guggenheim, Matta was at one time under scrutiny by our own FBI.

Another surrealist leader in this same disreputable group is Aragon—the Frenchman. He is a well-known Red, in fact, along with Maxim Gorky, and Whitaker Chambers, self-confessed Communist, he has been an editor of the publication *International Literature*, organ of the Soviet International Union of Revolutionary Writers—Citations. Concerning Aragon, the voluble Peggy Guggenheim says:

One day Rigid Edgwell invited me for dinner and asked me if I would render a great service to the Communist Party. They wanted to borrow my flat for Aragon and a whole convention of Communist writers who were coming to London.

I do not know why Aragon has not been brought to the United States. But if Aragon has been overlooked, such is

not the case with Kurt Seligman, the Swiss surrealist, who has been brought over to help pollute American art. He is another intimate of Max Ernst and of Marcel Duchamp, and it is in Seligman's residence that surrealists have gathered in New York City. He has been named as one of three artist judges by the Hallmark Christmas Card Co., of Kansas City, to determine the winner in their \$30,000 contest now in progress. This man, must I remind you, is a leader of surrealism, which holds our cultural heritage of religion is an obstacle to be overcome.

A second of the three artist judges is Yasuo Kuniyoshi, presumably a Buddhist, but unquestionably a Red Fronter. These two are a majority of the three artist judges who are going to select the pictures that will be on the Christmas cards of a Christian people for the greatest of all religious holidays.

Others of this surrealist group are Miro of Spain, Masson of France, and Henry Moore of England, the last named being invariably lauded by New York City Communists, *The New Masses* and *International Literature—Communist publications*.

Salvador Dali, another Spanish surrealist, is now in the United States. He is reported to carry with him at all times a picture of Lenin.

English surrealists are Barbara Hepworth and Stanley Hayter, the latter now resident in the United States and a member of the American contingent on the Panel of Visual Art of UNESCO.

Add to this group of subversives the following American satellites, and the number swells to a rabble: Motherwell, Pollock, Baziotes, David Hare, and Marc Chagoll. The last named is lauded by Communist publications and is a sponsor of the School of Jewish Studies, cited by Attorney General Tom Clark "as an adjunct in New York City of the Communist Party." At this school Chagoll is associated with some of the old gang, including Minna Harkavy, Louis Lozowick, William Gropper, Phillip Evergood, Raphael Soyer, and Lena Gurr.

Abstractivism, or nonobjectivity, in so-called modern art was spawned as a simon pure, Russian Communist product. Sidney Janis says:

It was in Russia that this latter absolute form of expression came into being, and its creators were Kandinsky and Malevich.

That you may see clearly the definite, positive link between the Communist art of the "isms" and the so-called modern art of America, let me state that Kandinsky was elected vice president in 1923 of the Société Anonyme, which was established in New York in 1920 by Katherine Dreier, as an international association for the promotion of the study in America of the progressive in art. Nor was the election of Kandinsky a passing fancy or a light gesture. This Communist of the Russian Revolution, ex-teacher of the Moscow Museum of Pictorial Culture and ex-founder of the Russian Academy of Artistic Sciences, served as vice president of this New York organization for many years.

The Société Anonyme, according to the American Art Annual, was first or-

ganized as Museum of Modern Art. Katherine Dreier, its president, is an aging but active left-winger, born in Brooklyn, pal of Kandinsky in Germany, a sponsor of Henry Wallace, and an author of several books published by the Société Anonyme, among them one on Burliuk, that Communist patron and teacher of Mayakowsky, the revolutionary poet of Russia, and one on Kandinsky, the commissar of the "isms."

The Société Anonyme has published many other books, including one on Archipenko, the cubist sculptor, Russian-born, Communist-fronter, and one by Louis Lozowick titled "Modern Russian Art." Lozowick was secretary of the John Reed Club, and an editor of *International Literature*, that organ of communism printed in English in Russia. Lozowick's record of Communist activities is as long as your arm, and he has been delivering a series of lectures titled "Marxian History of Art," as part of his contribution to the battle to destroy our high standards of culture.

It makes little difference where one studies the record, whether of surrealism, dadaism, abstractionism, cubism, expressionism, or futurism. The evidence of evil design is everywhere, only the roll call of the art contortionists is different. The question is, what have we, the plain American people, done to deserve this sore affliction that has been visited upon us so direly; who has brought down this curse upon us; who has let into our homeland this horde of germ-carrying art vermin?

Last year, in 1948, the Museum of Modern Art brought Herbert Read here from England to address the sixth annual conference of the committee on art education, a committee of 1,000 American art educators and teachers, offering their bared breasts for free injections of the evil virus of the "isms," anti-Christian, antisanship, antimorality, and anti-American. This is the same Read who lauds surrealism and abstractionism, both Communist, and avowed instruments to destroy our traditional culture. Read has boasted:

We in England have announced our adherence to this movement. What I wish to stress now is that surrealism is an application of the same logical method (dialectical materialism) to the realm of art. By the dialectical method we can explain the development of art in the past and justify a revolutionary art at the present time.

What is the relationship between Read's benefactor, this Museum of Modern Art, stated to have been organized in 1929, and the Museum of Modern Art, organized in 1920, alias the Société Anonyme, which bestowed honor and made obeisance to Kandinsky, the commissar of isms, in 1923?

Daniel C. Rich in his article in the *Atlantic Monthly* has this to say:

The Museum of Modern Art, opening in 1929, included all types of twentieth century expression and crystallized a number of earlier efforts, of which the Société Anonyme, founded in 1920 by K. S. Dreier and the artist's Marcel Duchamp and Man Ray, was probably the most notable.

There you have the record. The Museum of Modern Art, founded in 1920,

officered in 1923, and for years thereafter, by Kandinsky, Russian commissar of "isms," becomes crystallized in 1929 as the present Museum of Modern Art. As an enduring link between the two, Alfred H. Barr, Jr., member of the board of directors of the Société Anonyme, is the director of the present Museum of Modern Art.

The Museum of Modern Art has published a pamphlet by this Herbert Read, titled "Culture and Education in World Order." By so doing it would seem to give approval to Read's expressed conviction, that "our vested interests of great antiquity and power," as represented by our kindergartens, schools, academies, colleges, universities, institutes, and laboratories, "must be left to die a natural death."

The Museum of Modern Art has published and distributed a booklet on Ben Shahn, that proponent of social protest in art, whom we have tagged as a Communist-fronter and member of the John Reed Club, in a previous address. Shahn would seem to be one of the pets of the Museum of Modern Art. Does the museum approve, as well, of the company he keeps? Ben Shahn, Diego Rivera, Jose Clement Orozco, and David A. Siqueiros are among the most outstanding proponents of social protest in art in North America. The three last named are Mexican Communists, but all have been active in the United States. As I have previously stated, Shahn aided Rivera in painting the murals at Rockefeller Center, which were removed as Communist, and unacceptable. Orozco and Siqueiros were delegates to the American Artists Congress—cited as Communist created and controlled—and Shahn was a signer of the call for that same congress. Orozco and Siqueiros read papers before the Congress meeting at the New School for Social Research in February of 1936.

On the 24th of May 1940, a band of 25 Mexican Communist guerrillas, disguised as policemen and led by the famous Mexican painter, David Alfaro Siqueiros, surprised the police assigned to guard Trotsky's house and tied them up. Two squads of gunmen, armed with machine guns, riddled Trotsky's bedroom with cross-fire. The gang of murderers kidnapped Trotsky's personal guard, the American Robert Sheldon Harte and killed him.

Where does "art with a social protest" cross the borderline, if any exists, and become art with a political murder?

How did we ever let this horde of art distortionists, these international art thugs descend upon us? Daniel Catton Rich, director of fine arts, Art Institute of Chicago, explains:

The arrival of a boatload of famous European modernists, just before the war, also vastly stimulated the nonrepresentation-  
\* \* \* the present group of refugees met and influenced American painters \* \* \*. Other modernists \* \* \* had already landed in American universities and art schools, where they set to work busily teaching the precepts of advanced European expression.

In the world of so-called modern art this Daniel Catton Rich pulls a heavy oar. He is director of fine arts, Art Institute of Chicago, and a pupil of Paul

J. Sachs, head of the Fogg Museum of Harvard University. Rich sits as chairman on the panel of visual art of UNESCO along with three specimens from the Museum of Modern Art, and Ben Shahn, Sam Lewishon, and William Zorach, which last three have an aggregate of 21 references against them in the reports of the Committee on Un-American Activities.

The maestro of this Rich, Paul J. Sachs, head of the Fogg Museum at Harvard, is an honorary trustee of the Museum of Modern Art, at 11 West Fifty-third Street, New York City.

Thomas Craven, foremost art critic in the United States, refers to the Fogg Museum as "the rendezvous of an effeminate and provincial tribe." Under the administration of Paul J. Sachs it has accepted, nurtured, and exalted the whole school of so-called modern and contemporary art, but more catastrophic than that, the Fogg Museum has trained many of its effeminate elect to be directors of museums throughout our land. These individuals have gone forth predisposed to promote the art of the "isms," and they to a large degree have been responsible for the acquisition at inflated fictitious prices of so-called master works of this hog-scrapple of art that the public does not like, does not understand, and does not want to buy. They blanket our museums of art from Maine to California—and on to Hawaii. Not only do they persist in jamming this art trash down the throats of the public, but they have effectively aided in excluding the works of our real American artists from exhibitions and competitions, by loading the juries against the academic artists—in innumerable instances the committees on invitations are so fixed that the traditional artist is no longer invited to send his paintings. Most of the finest artists that our Nation numbers no longer exhibit at all.

We are now face to face with the intolerable situation, where public schools, colleges, and universities, art and technical schools, invaded by a horde of foreign art manglers, are selling to our young men and women a subversive doctrine of "isms," Communist-inspired and Communist-connected, which have one common, boasted goal—the destruction of our cultural tradition and priceless heritage. Many of our museum repositories of art treasures are now under the guidance of judgments that have been warped, and eyes that are blinded, seeing not the inevitable destruction that awaits if this Marxist trail is not abandoned.

All, or nearly all, of these cultural centers have an upper level of conservatism, substance, extreme respectability and unchallenged Americanism, but these tolerant complacents cover a very active lower stratum of pink busybodies, who squander institutional funds in an orgy of spending to hasten the destruction of the art of our great inheritance.

In my previous addresses on this subject, I have used the word infiltration in describing the present Red element in American art. This is an understatement. Communist art, aided and abetted by misguided Americans, is stabbing our glorious American art in the back with murderous intent.

Among the artists themselves I see two distinct divisions in Communist influence. There are some very able artists, who paint excellently in our established and revered tradition, but who are radical, or Communist, or Communist in sympathy in their ideology. When these individuals are presented for consideration as members of our highest art organizations, many members say, in effect: "I will not vote against a good artist because of his politics." This is evidence of very shallow thinking. In the first place, communism or any near approach to it is not politics. Communism, regardless of the limitations of our present laws, is treason. Why should our highest art organizations have any different standard of membership than our bar associations? The fact that a man knows law is only a bare essential requirement of admission to a bar association. A candidate must pass the strict requirements of the character committee, and it seems to me clearly indicated that in these troubled times, no man shall be admitted to an organization of honor unless he be a man of honor, of good character, and of unshaken allegiance to his Government.

These Marxists of talent, who paint in the academic tradition, are the door openers for the polyglot rabble of subversives who detest and scorn all academic traditions and culture.

In an earlier address, I made reference to the exercise of supervision by our great newspapers of their art departments and art critics. Of course, this simple statement, made with kindly intent, was immediately seized upon and distorted by the neurotic left-wingers in art, as a threat to constitutional guarantees of freedom. Communists and their satellites, when hurt, always "trouble deaf heaven with their bootless cries" about rights under a republic, which they plot to destroy. You can hear them now in the Communist trials in New York City, and you could have heard them in these Halls making identical outcries not long ago. I repeat and now emphasize, that when art becomes a weapon to destroy, when art becomes art with a social or political protest, when art is the art of the isms, it ceases to be free, and having entered the ideological and political field, it is properly subject to the restrictions we have always placed upon politics and political writers in our great and untrammelled press. It has always been the management or ownership which freely determines the political policy of a newspaper, and not the reporter. The place for a Red critic is with a Red publication, and not disguised by the respectability of the company he or she would keep. A Marxist, a champion of the subversive isms in art, has no proper place in the brotherhood of our great Republican and Democratic newspapers.

From every section of this Republic I have received letters from artists, thanking me for the truths I have spoken to them. Among the hundreds are communications from persons whose names are the most distinguished in real American art. Generally, they have implored me to help them in the battle that finds them now so sorely tried. To them I say,



that the things I have revealed here are the truths they have told me, and I stand ever ready to help defend the heritage of the land that has given us all so much; but, ultimately, whether we triumph for American ideals of culture depends upon their willingness to protect what providence and freedom has given them. In their readiness to smite an organized, subversive minority, no matter how deeply entrenched, depends their future and America's welfare.

#### SPECIAL ORDER GRANTED

Mr. MULTER asked and was given permission to address the House for 20 minutes on tomorrow, at the conclusion of the legislative program of the day and following any special orders heretofore entered.

#### EXTENSION OF REMARKS

Mr. MULTER asked and was given permission to extend his remarks in the RECORD and include extraneous matter.

The SPEAKER. Under previous order of the House, the gentleman from Louisiana [Mr. BROOKS] is recognized for 15 minutes.

#### COMMITTEE ON ARMED SERVICES

Mr. BROOKS. Mr. Speaker, I left immediately after the Friday afternoon hearings of the Armed Services Committee of the House of Representatives and went home. I, consequently, did not indulge in the charges and countercharges which were made immediately following the conclusion of these hearings on Friday. The Armed Services Committee, however, has reached a midpoint in its investigations of the B-36 bomber, and I think it is appropriate that I say something in reference to the situation as I see it at the present time.

The hearings thus far have disclosed the formation of the plans and gestation of the B-36 airplane beginning as early as 1939 and continuing progressively to the present time. This testimony has shown imperfections in the plane which have been gradually overcome and doubts which have given way to optimism in the course of this development. The investigation to date has not disclosed competent evidence which would injure the reputation of the Secretary of the Air, Stuart Symington, for honesty, integrity, and ability. There has been and will be no whitewash.

Those who have made charges regarding political or other wrongful influence in the procurement of the B-36 have thus far failed to produce evidence. They have been called upon to substantiate the charges and to date nothing but the statement of two columnists, repeating rumors, and an anonymous letter have been produced. The committee and the counsel have called upon all who have evidence to present it to the committee or its counsel.

I, personally, feel, as was well expressed by my colleague, Congressman GEORGE BATES, of Massachusetts, that the time has arrived when those who make violent charges affecting the honesty of high public officials, such as the Secretary of Air and high officers in the Air Force, should be made to put up or shut

up—to come forth with evidence or confess the falsity of their charges.

The committee has further useful work to do. I think we have an obligation to run down the source of the charges—many of them anonymous—which have formed the background and basis of the investigation. The names of all of those who made the charges should be fully exposed and their statements should be carefully investigated.

To date the hearings have shown the B-36 to be a great airplane. With a range in excess of 10,000 miles and a bomb-carrying load for that distance of 10,000 pounds, it is one of the truly great airplanes of history. Former Secretary of War Robert Patterson has taken full responsibility for the placing of the order for the first 100 B-36 bombers a number of years ago, and it appears to me that this action on his part may be one of the many things to which he can point with full pride in the years ahead.

Mr. DOYLE. Mr. Speaker, will the gentleman yield?

Mr. BROOKS. I yield to my colleague, the gentleman from California [Mr. DOYLE], a member of our committee.

Mr. DOYLE. I wish to compliment the member of the Committee on Armed Services on his fine statement. I know he is not only a distinguished Member of Congress but also a very brilliant lawyer. I also am a member of the legal profession. I think it is to say the least a distinct disservice and destructive of American processes for anyone to expect the Congress of the United States to go into a hearing on the basis of anonymous statements and anonymous charges. I think it is a ridiculous situation that the Congress of the United States should be charged with the responsibility of making an investigation upon the basis of anonymous statements. I hope I never have to sit again as a member of the Committee on Armed Services where the charges are anonymous. Furthermore I would think it is also a disservice to put these distinguished members of our armed services on the pan and put them in the witness chair before we first hear the charges of the complaining witness. It is absolutely contrary to all judicial processes that those who make charges anonymously should get the benefit of putting our distinguished members of the armed services on the witness stand first. I again wish to compliment the gentleman from Louisiana.

Mr. BROOKS. I thank the gentleman from California very much. I must say that the gentleman from California has been sitting in on the hearings of the committee. As I have watched him I have observed him pay strict attention to the testimony as it was being adduced. He has taken the work of the committee very seriously and I am indeed complimented that the gentleman agrees with me in the statement which I have made. I believe he is making a very distinguished record as a Representative from the State of California on our committee.

Mr. DURHAM. Mr. Speaker, will the gentleman yield?

Mr. BROOKS. I yield to my colleague, the gentleman from North Carolina.

Mr. DURHAM. I heartily concur in the conclusions reached by the gentleman from Louisiana as to the type of evidence presented to the committee so far. I think it is indeed dangerous to attack a weapon today which this country is absolutely dependent on or at least to a large extent to deliver the atomic bomb. I asked the Secretary of Air a direct question as to whether it was possible to carry out the mission outlined by the Chief of Staff, if and when it had to happen; and if we did not have the B-36 how would we do it? He said it would be impossible to carry out the mission as outlined by the Chief of Staff. There is no doubt in my mind that this plane did go through with some of the troubles that have existed in practically all of the planes. The gentleman from Louisiana and I served on the old Committee on Military Affairs when we were really having trouble and bugs in practically every type of plane that was developed by the Air Force.

However, we were able to win the war by hard work, ingenuity, and the development of planes. I thank the gentleman for making his statement.

Mr. BROOKS. I thank the distinguished gentleman from North Carolina [Mr. DURHAM]. I think he will agree with me that, on the whole, practically every outstanding large plane that we have developed has gone through a period of imperfections, and also uncertainties on the part of the designers and those who studied and sponsored the plane. Certainly the B-36 has gone through that period.

I want to add to what I have already said by saying that when serious charges are brought against a department of Government, and those who have directional charge of that department, it may cause a great deal of disturbance and also expense. Those charges should be founded upon competent evidence, and should be carefully studied before they are presented to the Congress, the country, and the world as serious charges, reflecting upon the honesty and integrity of one of our departments of Government.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. BROOKS. I yield.

Mr. HOFFMAN of Michigan. Without expressing any opinion at all about the merits of this investigation, I wanted to inquire if it is not true that an order or a rule or regulation has gone out that the testimony of those in the service should be sent to some top official to be coordinated, as they call it.

Mr. BROOKS. If the gentleman will read the RECORD, he will be able to read that order.

Mr. HOFFMAN of Michigan. Then, if that kind of testimony is used, do you expect to get any more truth about the matter, if it is all to be coordinated?

Mr. BROOKS. If the gentleman has any competent evidence of any sort that will shed any light, if he knows of anybody who can obtain this evidence that will shed any light on this investigation, it is his solemn duty, his sworn duty, when he raised his hand and took the oath of office in this chamber, to present that testimony to the Armed Services

Committee and give us a chance to reconsider it.

The SPEAKER pro tempore (Mr. COOPER). The time of the gentleman from Louisiana has expired.

#### SPECIAL ORDER GRANTED

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes after the conclusion of the other special orders today. The answer of the gentleman from Louisiana is no answer at all.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore (Mr. COOPER). Under previous order of the House, the gentleman from California [Mr. WELCH] is recognized for 10 minutes.

#### THE SECRET BOSS OF CALIFORNIA

Mr. WELCH of California. Mr. Speaker, I ask unanimous consent to include in my remarks two articles published in Collier's magazine.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WELCH of California. Mr. Speaker, the last two issues of Collier's magazine revealed to the country and to the world the astounding story of what is referred to as "The Secret Boss of California." The story is well known to many in California.

My legislative career has been a long and fruitful one, not marked by brilliant outbursts of oratory but replete with humanitarian and constructive accomplishments. I served 12 years in the State Senate of California. My early years in that body were during the regime of the Southern Pacific Railroad Co. in its domination of the political policies of that State. I was one of the few men who succeeded in breaking its slate.

I afterward became a crusader under the leadership of the late Hiram W. Johnson in his successful fight to drive this well-entrenched political machine from power and return the State government to the people. Would to God California could have another governor fashioned after Hiram W. Johnson. The need for such leadership is far greater than at any time in the history of that great State. California is the second largest State in the Union in area and perhaps the second largest in population and should have its proper place in the galaxy of States instead of having the question raised—Has constitutional government as it applies to the legislative branch of the State been abrogated as admitted by Governor Warren?

The alarming story published in Collier's quotes Gov. Earl Warren under the following subhead: "Candid reply to a blunt question."

This writer asked Gov. Earl Warren, elected by the majority vote among California's 9,000,000: "Who has more influence with the legislature, you or Artie Samish?"

The Governor replied: "On matters that affect his clients, Artie unquestionably has more power than the Governor."

"Matters that affect Artie's clients include legislation on beer, liquor, motor busses, railroads, cigarettes—and have included banks, building and loan companies, race tracks, chemicals. These are the clients Artie admits to."

The Artie referred to by Governor Warren is Arthur Samish, the principal subject of Collier's story.

In the second and concluding Collier's article, the reporter interviewed Mr. Samish, quote as follows:

How can the people get rid of you and others like you in California, Artie?

"There is one way," Artie replied. "The people must take more interest in the men they elect."

Mr. Samish's reply was most candid. The people must take more interest in the men they elect. California can and must be relieved of this terrible stigma by the election of a governor who will carry into effect the policies laid down by the late Hiram W. Johnson. It will not be done by an attractive-looking, hand-shaking, back-slapping, gutless governor.

"It says in the book," said the college professor, "that we elect a legislature in California to make our laws for us. It says the legislature is responsible to the people. It says also that we elect delegates to political conventions, that we elect attorney generals and mayors and district attorneys."

"Well, let's see. . . . There's a man in California today who holds no public office and is responsible only to the interests who hire him. Yet this man can push laws through the legislature or stop them cold. He named our attorney general. He elected the mayor of San Francisco and he told him who to name for police commissioner. He has the power to make or break governors."

"This man once delivered California's delegates to a Presidential candidate—Wendell Willkie. He is the most powerful nonofficeholder in California."

The professor studied the alert, upturned faces of the 50-odd University of California seniors before him.

"Who is this man?" he asked.

None in the class of 50 knew.

This was not surprising. Few in California know. Had the professor queried the faculty or stopped people on Los Angeles' or San Francisco's streets, maybe 1 in 100 could have named the State's most powerful man.

But the politically sophisticated know.

When Preston Tucker sought permission to sell Tucker Corp. stock in California, his lawyers unerringly led him to 6-foot 2-inch, 300-pound mountain of a man with the sensitive face of a great actor and the forthright mouth of a stevedore.

"I want to get permission to sell stock in this State," Tucker said. "Can you get it for me?"

The outsized man with the shrewd eyes studied the promoter's boyish face, seeking in it a clue to his character and his proposition. Deciding against what he found, the big man said:

"No. I'm not for you, I'm against you. I'm against any lovin' stock pushers going to people's mothers to sell stock. Why, you might sell some of that lovin' stock to my own mother."

The California Division of Corporations turned Tucker down, labeling his promotion, "a fraud upon the purchasers."

When Paul Smith, editor of the San Francisco Chronicle, sought to get a pro-one-

world resolution through the California Legislature and made no headway, he telephoned room 428 of the Senator Hotel in Sacramento and asked for Mr. Arthur H. Samish.

Our big man, already described, answered. "Artie," said Editor Paul Smith, "can you help me get a resolution through, supporting one world and a world federalist union? We're stymied."

"What's one world?" Artie asked.

When the editor explained, Artie said, "Sure, right away."

The resolution was whipped through the legislature promptly. California became the first State to back a national convention favoring American entrance into a world federalist union.

What promoter Tucker and editor Paul Smith knew of Arthur Samish's political power, the Governor of California also had reason to know. Once, when Governor Earl Warren vetoed a bill backed by Samish, the big man lumbered over to the chief executive's office.

"What's wrong with the bill, Governor?" he asked.

When the Governor explained, Samish—who holds no political office—said, "All right, Governor, I'll give you another one."

Soon he tossed another version up to the Governor, in his stride.

Attorney General Frederick Napoleon Howser, too, has reason to know Samish's political heft. When Howser got into political hot water because some of his aides tried to muscle in on the State-wide gambling rackets, he went to Samish, the man who put him in office. Samish, alone, could save his political life. But Howser was in such bad odor politically that Artie thought he was better rid of him.

For 2 hours the attorney general of the sovereign State of California cooled his heels outside Samish's hotel rooms. Allowed in, the attorney general found Samish entertaining some 30 assemblymen and senators at lunch.

"What are you doing here, you lovin' —!" Samish thundered at Howser. "Don't ever let me see your lovin' face again!"

Howser slunk out, knowing that failure to heal the breach meant he was living on borrowed political time.

Movie tycoons, too, the "yessed" lords of their own domain, acknowledged Samish's higher authority at Sacramento.

When movie producer Cecil B. de Mille, feuding with labor, sought to curb unions with a restrictive law, his lawyer rightly telephoned Samish. But wrongly the lawyer said:

"We'll hold you responsible if this bill doesn't pass."

"No one gives ultimatums to Art Samish," roared Art Samish. "Now, just try and get that lovin' bill through."

Labor had despaired of blocking the measure. But suddenly in an assembly dominated by conservative Republicans 54 votes (out of a possible 80) materialized mysteriously against the antiunion bill. Never in the history of the California Legislature had labor mustered such strength. With a grateful bow toward Samish, an A. F. of L. vice president said:

"This ought to show who controls the State of California!"

The man who "controls the State of California" falls into no easy identifying niche. He is neither labor boss, oil king, press lord, financial nabob, nor rabble rouser of the Huey Long type. You can't even neatly tag him as the Boss Pendergast or Crump or Hague of California.

#### A SUPERSPECIAL KIND OF BOSS

Not for Artie Samish are the mildewed methods of these political Neanderthals. He is sui generis—the only one of his kind. An original. Both as a human being and a



political operator. He is a political boss without a party. He bosses both Republicans and Democrats with equal impartiality. One "Samish man," the head of a key legislative committee, derives support from left-list unions. Artie is a political boss without political clubhouses. He has no precinct organizations.

What does he have?

He has what he himself describes as "an endless chain of political strength" whose strongest links are "the little fellows" of the industries that hire him: the 44,000 license holders who sell wine, liquor and beer; the growers of barley and hops; the truckers who haul the stuff; the culinary workers, musicians and other employees of many spots where liquor is served.

"A nucleus of 500,000 people protecting their investment and the livelihood of their kiddies," says Artie. "I weld them together into the damnedest political machine you ever saw. Boy, we can exploit it when we need it!"

But Samish has other strong links in the chain of strength with which he has girdled a great State.

He has campaign money, barrels of it, supplied by clients who ask no accounting. He has—when he marches to the political wars—the use of practically every billboard in California. These again are supplied by obliging clients.

Artie has a political espionage system at the State's capital and beyond, which he describes as "the damnedest gestapo you ever saw."

Samish has the eye of mind detective Polgar for ferreting out human character. He will know quick (as he puts it) what a man wants.

"I can tell if a man wants a baked potato, a girl, or money," says Artie.

He has a master's grasp of the inner workings of the legislature, knows its lawmaking machinery as intimately as, say, Toscanini knows the pieces in his symphony orchestra.

To this chain of strength Samish has forged another link. It is California's board of equalization, a key State agency which his close friends as well as critics will tell you, "is in the palm of Artie's hand" because Artie, the political powerhouse, can see to the election on its four members.

The board of equalization administers the State liquor laws, and grants and revokes licenses. It has important discretionary powers over a wide range of taxes, and over assessments affecting vast corporations as well as sales taxes affecting small merchants. Its potentialities as a political pork barrel are second only to the State legislature. Samish can deliver both the board and the legislature.

All this came about because Samish is a practical man. Starting out as a lobbyist he found an easier way to persuade legislators than the method ordinarily employed.

Lobbyists usually perform the legitimate function of bringing their clients' interests to the attention of the lawmakers. Representatives of farmers' groups, teachers, labor, and business interests have a recognized place in the State capitals and Washington. They appear before legislative committees and legitimately try to affect the shaping of legislation.

But Samish, a forthright and logical man, went right to the heart of his lobbyist's problem. The problem: to deliver legislation beneficial to his clients. Why bother with such chancy and indirect methods as marshaling arguments before legislative committees? Why not control the committees themselves?

Although he never got beyond the seventh grade in school and so never took geometry, Artie well knows the shortest distance between two points. The shortest distance to

the control of committees and legislation is the control of legislators. Surest way to control a legislator: elect him.

Artie Samish's system worked

#### CANDID REPLY TO A BLUNT QUESTION

This writer asked Governor Earl Warren, elected by the majority vote among California's 9,000,000:

"Who has more influence with the legislature, you or Artie Samish?"

The Governor replied:

"On matters that affect his clients, Artie unquestionably has more power than the governor."

Matters that affect Artie's clients include legislation on beer, liquor, motor busses, railroads, cigarettes—and have included banks, building and loan companies, race tracks, chemicals. These are the clients Artie admits to.

When someone hires Artie, that customer can expect solid returns.

To his liquor clients Artie simply turned over the lawmaking facilities of an entire State.

"Meet the man who's written every liquor law in the State, good or bad," Artie told this writer, introducing, "one of my lawyers, Emile Hoerchner. He's counsel for the California State Brewers' Institute."

The lawyer blushed his acknowledgment, protesting modestly:

"But the ideas were all yours, Artie."

For his beer clients Artie built, as he himself puts it, "a granite wall." In other States, brewers pay an average of \$2.03 per barrel in excise taxes. In California, they pay 62 cents. License fees are nominal there.

"Even when the State was running \$70,000,000 deficits and they were hitting up other industries we held our rates at the present level," Artie says. "What more could I do for my clients?"

For a race track client, the famed Santa Anita course near Los Angeles, Samish built a similar wall. It shut out the State from higher pari-mutuel takes and barred new, competing race tracks. Then, because he was miffed, Artie started to pull that wall down. A client scorned gets the works in reverse.

"When I worked for him (Dr. Charles Strub, Santa Anita's executive vice president) I let nothing go through," Artie told me. "Then when Artie quit, everything began to break."

All of a sudden bills materialized to let the State tap additional millions from the track's pari-mutuel machines, to allow the building of competing tracks, to force Santa Anita to drop nonracing investments.

"The fellow wields unlimited power," Santa Anita's bewildered Dr. Strub said of his erstwhile champion, Artie. "If you don't think I'm in trouble," he exclaimed. "Why, I may have to close the track."

But for a banker client Artie once was instrumental in changing the State's banking laws.

To get a bill through under normal procedure usually takes hearings, arguments, public debates, sponsors who are out in the open. Artie openly sponsors nothing. His is the power, not the glory.

"Samish never fronts for anything or anyone," says Samish.

Unlike a Hague or a Crump, against whom voters can occasionally rebel, Artie provides no visible target. How can you beat a man when you don't even know that he's there?

#### MASTERMIND IN THE SHADOWS

Operating in the shadows, he is so well hidden that it is only by patient and diligent sleuthing that an investigator can find that Samish is the man behind a candidate, the man who is masterminding a drive in the legislature, the man who's backing a referendum that means millions to some private interest, or boosting a spate of laws that will work against a former employer.

Only by cloak-and-dagger detective work, involving the careful tracing of printers' identity marks on campaign literature, could the San Francisco News identify Samish recently as the chief backer of an assembly candidate. Artie, who had spent thousands secretly in the campaign, was indignant at this invasion of his privacy. Besides, it brought about one of those rare events: a Samish defeat—by a hairbreadth 134 votes.

Only the motorbus companies that hire him knew that Artie was the genius who got behind a successful referendum that saves them millions of dollars in taxes yearly in California. Thanks to reforms by the revered Hiram Johnson, the people can vote their own laws directly by approving them at a referendum in a general election. Here's how Artie turned this reform to the uses of his clients:

He plastered the State's billboards with pictures of a giant hog. With the hog went a slogan:

"Drive the hog from the road. Vote 'Yes' on proposition No 2" (the busses' tax proposal).

"Neither the hog nor the slogan had nothin' to do with the tax measure," Artie told this writer. "But nobody likes a road hog. So, of course, the people voted 'Yes' to drive him off the road. Yes, for my tax proposition."

"Who but an S. O. B. like Art Samish would think of a thing like that?" he chuckled, his nose puckering happily in the center of his expressive round face.

Who would? Not the people who read the billboards and thought they were voting to drive a road hog off the road but were really voting low taxes for the bus companies.

Samish rarely makes a political speech (although he can "stimulate 'em, bring 'em to white heat" when he tries). Even more rarely does he get into the papers.

And yet here is what three lifelong friends of Artie's, men whom I saw on Samish's own, earnest request, said of him:

One, a distinguished corporation lawyer—"Artie is a one-man Tammany Hall."

Another, a great California political strategist—"Is Artie a political boss? Absolutely—he's more. More than any man in California, he can deliver the legislature."

A third, a successful corporation lawyer and the author of a best-seller—"Artie's the real Governor of California. The Governor's only the Mikado. But Artie is the Great Shogun."

The man who is all these things will only describe himself as:

"Who, me? I represent industry. I'm a lobbyist, a public relations man."

This lobbyist label, like the stripe on a zebra, gives Artie protective coloration. It is the secret as to why he remains California's secret boss. The zebra blends and disappears into a jungle backdrop. Artie blends into and loses his true identity as a political boss against similarly lush growth—the lobbying at California's State capital at Sacramento.

So numerous are the lobbyists that they outnumber California's 120 State senators and assemblymen four to one. So influential are they that they are known as the Third House. The name Third House is no exaggeration. In actual power it could be called the First House.

Under the dominance of the Third House, California's legislature has become the grab bag of pressure groups. Two governors, Culbert L. Olson, Democrat, and Earl Warren, Republican, told this writer that the Third House had made a shambles of their administrations. (Olson preceded Warren as California's chief executive.)

Socially, the lobbyists are the elite of Sacramento, ranking with State senators. When assembly speakers leave public office they graduate into the Third House. Three have already done so, one of them, Walter

Little, resigning his speakership to become the lobbyist for the railroads.

In the Third House are many lobbies. They range from oil, railroads, utilities, liquor to cemeteries (there are four cemetery lobbyists), dog defender leagues, race tracks and slot machines. The slot-machine gambling lobby is clandestine but well heeled and powerful.

Against this lobbying background Samish has flourished for more than two decades. The public outcries that were raised against Tweed and Murphy for delivering the legislatures of their day to special interests have remained unuttered in Samish's case.

Modestly, the man who delivers the California Legislature, who has helped name every assembly speaker save one in the last dozen years—who elects mayors, judges, attorney generals—registers himself simply as the "legislative representative of the California State Brewers' Institute." Even the informed San Francisco Chronicle, in a recent profile, was satisfied to describe Samish as "the kingpin California lobbyist," and let it go at that.

But when Artie is in the mood, he can give you a better picture of himself than that. A Collier's photographer was taking routine shots of him to illustrate this article. Patiently, Artie posed this way and that.

Then he burst out:

"You want the real picture? I'll give you something that tells the whole story."

The big man disappeared into his bedroom and soon emerged with a dummy, togged out as a bum, its wooden toes poking from tattered hobo's shoes.

Artie Samish then lowered his round bulk into a chair and fought to control the great good humor that rolled in waves over his billowing belly and up over his jolly, convulsive face. In an elephantine imitation of Edgar Bergen, he plunked the dummy on his lap.

"That's the way I lobby," he said, pointing to the dummy. "That's my legislature. That's Mr. Legislature. How are you today, Mr. Legislature?" he inquired of the dummy.

Artie had another idea.

"If you get a long enough ladder and put it up against the capitol dome, you can take a picture of me unscrewing the gold cupola."

Artie was clowning. But the picture he gave of himself and "Mr. Legislature" is a true one. Ten years before, legislative investigators and a grand jury painted the same picture. Only they weren't so happy over the whole thing.

The investigators described Samish as "California's arch-lobbyist" and quoted him as saying, "I'm the governor of the legislature. To hell with the Governor of the State!"

What is he like, this governor of the legislature, whom nobody elected?

He is an outsized 300-pounder (Artie, as bashful about his bulk as a spinster about her age, admits to being "over 250"). He has a warm, engaging face which, reminiscent of Victor McLaglen or Wallace Beery, reveals its owner's great gifts for making friends.

"I'm not a bad kid," Artie will say. Or: "You've just got to love me for this," he will declare as he tells of one of his exploits. Or: "We never stop doing nice things for people."

Artie has a filing system for remembering birthdays, anniversaries, a clipping system for learning of illnesses and accidents. This makes him a more redoubtable dispenser of remembrances than Jim Farley at his political zenith.

In one of his warm, outgoing moods, Artie will utter your first name with a rumbling caress. From a grand jury witness stand he almost drove the prosecutor frantic by addressing him continually as, "My dear man!" Over old friends, particularly objects of his

benefactions like Tony the newsboy in downtown Sacramento, Artie will purr:

"How are you, doll? how are you, baby?"

In Artie, "the not bad kid," there is a vein of sentiment as broad as he is.

"If you were nice to me when I was a kid, or were nice to my mother, I love you and will do things for you," he says.

#### MOTHERS COME FIRST

At 52, the father of a family with two grown daughters, and in the full tide of his powers, Artie says:

"All the incentive is gone since my mother died a year ago. You're not dealing with the same Art Samish."

This classic devotion to mother is echoed by other intimate members of Artie's entourage.

Artie's chief lieutenant, companion, and servitor, Frank X. (Porky) Flynn, now in his late forties, did not get married until several years ago. Why?

"My mother was everything to me. How could I marry while she was alive?" says Porky.

Artie chided his liquor-law expert, Emile Hoerchner, a man in his early fifties:

"What'll your mother say about your staying out so late last night, Emile?"

Emile, a self-effacing man, blushed.

"Very devoted to his mother," said Artie. "Never got married."

Artie's chief feminine aide, shrewd Dorothy Ready, didn't marry either.

"She loves her mother," Artie says of his middle-aged office manager. "At her side all the time."

Bill Jasper, another Samish aide, in his forties, is the happy bridegroom of less than a year.

"I had two nieces. Were all the world to me. Couldn't marry until they were provided for," said Jasper.

Artie took me one night to meet Tony, the newsboy, a few blocks from the Senator Hotel. Artie had given the newsboy, who was about 35, a share of a liquor store during the war.

"Tell us about the time you were the president of a bottle shop, doll," Artie said.

"Used to get a check every 2 weeks," Tony said proudly. He paused. "And it would go right to my mother, Mr. Samish. I loved my mother, Mr. Samish."

"There," said Artie, "what more do you need to know about a man?"

Artie, the man of sentiment, is also a figure of Falstaffian fun—a lumbering Puck with an agile brain whose barbs reveal the unfettered inner man.

He sometimes reserves his merriest pranks for the voters. When California's drys succeeded in getting a local-option proposal on the ballot last year, Samish countered with a confusing wet amendment. Voters could vote for both. The trick was that, if they did, one would cancel out the other.

"Never in the history of American politics did two propositions on the same ballot cancel themselves out," chuckled Artie.

Then he told how he turned to his billboards and decorated them with a mother wielding a broom—"the most wonderful mother God ever made."

"Oh, what a mother we had!" Artie relates, mimicking with elephantine grace a mother sweeping out the kitchen. The slogan read:

"Mother says, 'Let's clean them out. Vote "Yes"; No. 2.'"

"The slogan had nothing to do with the amendment—but who won't vote for Mother?" Artie said.

"That's my mob psychology, my mass element," Samish explains.

#### FUN WITH A GRAND JURY

When a Sacramento grand jury investigated Samish, looking for evidence of legislative corruption, the proceedings became an occasion for more of Artie's fun.

First, he had the law of the State changed so that his grand jury hearings should be open to the public. Then, arraigned on a contempt charge arising out of the public proceedings, Artie reached into his pocket and posted bail—with a \$1,000 bill.

On the stand, he noticed something was missing.

"I'm on the witness stand," Artie relates. "The investigators got all sorts of books and records and lawyers. I got nothing. No records. All I got is Art Samish, that's all. I decide I got to have records. Everybody has records, so I got to have records too."

Back in his hotel rooms Artie dug out two big suitcases, filled them with newspapers and a brick or two and locked them with giant padlocks.

"Now, I've got records," he said.

"I had a piano player carry the two suitcases into the grand jury room every day. Now we all had records."

"I put the suitcases in front of me, one on top of the other and drew doodles on a piece of paper. Just like the lawyers taking notes," said Artie, aping with his pudgy fingers elegant Spenserian scrolls. He laughed so hard at this happy reminiscence that tears came to his eyes.

In the middle of the grand jury probe, the district attorney had to run for reelection.

As a final gesture, Artie found a young man just out of law school and backed him for the prosecutor's job—as usual, secretly.

The young man, Alan McDougal by name, walked out of his home one morning and was startled to see the town's billboards placarded with posters urging:

"Honest McDougal for district attorney."

Asked on the grand jury witness stand later whether he had backed young McDougal, Artie told the district attorney (who had beaten McDougal by a fistful of votes):

"If I had had 24 more hours to devote to you personally, you wouldn't be sitting there now as district attorney."

As political autocrat and connoisseur of human frailties, Artie Samish has been accused of doing more to destroy human dignity than any other man in the State.

When a group of tobacco distributors called on him recently to seek his help in passing a law, Samish pointed to one delegate and said:

"I'll have nothing to do with this, unless you get out of here."

"Why, Artie, what have I done?" asked the embarrassed delegate.

"Listen, you," boomed Samish, "I heard what you said about me in Chicago. Now you get out."

The delegate got out. Alone. The rest, impressed by the long arm of Artie's Gestapo and his contempt for human feelings, stayed meekly and made their deal.

#### THEY TAKE WHAT HE DISHES OUT

Sometimes, as an unsparing debunker, Artie dishes it out with fierce zest. State senators, assemblymen, officials, and industry leaders take it.

Doesn't anyone fight back? No, not openly. But for years anonymous letters, circulated furtively, have accused Artie of such things as using one public official as "his valet and bodyguard," and of seeking to become the national czar of the liquor industry.

Typical of the letters (addressed chiefly to the liquor trade):

"The Octopus still claims you have no guts—and that you are all afraid of his tremendous power. . . . Smash the Octopus!"

Some of the inflammable information in the letters hits so close to home that Samish has confided to friends he fears it comes from his own organization. He spends huge sums on detective agencies seeking to track down the "Octopus" letters.

Sometimes Artie takes the evening air on the piazza outside the Senator Hotel or holds



court in the lobby—after midnight. On these occasions Artie meets no criticism. Clad informally in sleeveless shirt, collar open on a copious breadth of perspiring neck, his round, poll topped by a hard straw hat—Artie receives. A stream of Sacramento figures flows by, some to chat affectionately with the big man, others to seek favors, but all to pay diffident respect. To all Artie is forthright.

To the lieutenant governor, an honest public servant who is wondering about the wisdom of running again, Artie says:

"What do you want that lousy job for?"

And to a knot of legislators Artie gives his opinion of the caliber of the present crop of lawmakers:

"So if you dropped 2 bucks in the rotunda of the Capitol, you'd start a riot," he says.

His scorn for the men who do his bidding is near the surface. At dinner with this writer, Artie, in a gust of humor, motioned to a waiter:

"Hey, Senator," he called.

But his scorn for the men whose bidding he does, the men he calls his bosses, is even fiercer.

"I hate bosses," Artie says. "Put that down. Love those loving bosses," he repeats for emphasis.

#### NOT WANTED AT SWANKY CLUBS

A middleman in the business of selling privilege, Artie has enriched important interests in California. But the very men who hire him and accept his favors, who make millions from his labors at Sacramento, do not invite Samish to join their exclusive San Francisco clubs. Although Artie's protective intervention at Sacramento has meant millions to the Santa Anita race track, Artie could gain admittance to the track's exclusive boxes only through the use of a friend's tickets. Artie, operating in the political shadows, is socially unacceptable.

But he has become as rich as he is powerful. His wealth is estimated by friends to "run into many millions"—some of it acquired, as Artie says, "by people doing things for me, because they like me." His lucrative oil wells in Indiana, according to Artie, were acquired in this friendly fashion. Mostly, in the money way, Artie can do things very well on his own. He made his first million by age 32.

"When I was still a baby," says Artie.

He got off to this start by shrewdly buying up a bus route which turned out to be the needed link in a subsequent merger. With his native business sense he might well have become an industrial giant had he set his cap in that direction.

During the war Artie struck a blow for the servicemen, and made a buck besides. Noting that servicemen had to pay black-market prices for scarce wartime liquor, he conceived a chain of "military bottle shops" which sold to the military only.

The special allocations of liquor that Artie was able to obtain on patriotic grounds netted a tidy penny and raised anguished cries from competing, short-rationed liquor merchants. Artie explained the stores weren't his anyway. He had given one to "Frances the maid," who cares for his rooms at the Senator Hotel, another to "a piano player," another to Tony the Newsboy.

Artie's lieutenants said he gave away only 5 to 10 percent pieces of the stores.

Besides Artie's business interests, there are his lobbying fees.

The market value of the lobbying services Artie sells? The Santa Anita Race Track paid him \$50,000 a year until he quit 3 years ago. To get him back the race track offered \$200,000 yearly, but Artie said "No."

Artie owns some palatial establishments in San Francisco and at Los Gatos in southern California. He says:

"I can't spend all I've made."

But for all that, he lives, as he himself says, "A Jekyll and Hyde existence."

"More than anything else, Artie hungers for respectability," two close friends of his told this writer.

This hunger may cause Artie Samish someday to forswear the scene of his triumphs, as he has been hinting the last several years he'd like to do.

#### A MECCA FOR FAVOR SEEKERS

Meanwhile he doesn't act like a man about to retire. To his hotel rooms, the open sesame to power in Sacramento, flow the favor seekers, the lawgivers, the law enforcers. Along with their wants and needs each brings to Artie bits of information. For Samish must know in intimate detail what goes on.

"I want to know everything. I want to know what the sons of guns are doing," Artie says.

And so with a professional's devoted regard for detail, he has woven a net of espionage about Sacramento, and California, and beyond, which he describes as "my gestapo."

In New York City this writer experienced how far the Samish eyes can see and how far the Samish ears can hear—all the way from California.

#### EXTENSION OF REMARKS

Mr. HALE asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

#### SPECIAL ORDER

The SPEAKER, pro tempore. Under the previous order of the House the gentleman from Michigan [Mr. HOFFMAN] is recognized for 5 minutes.

Mr. HOFFMAN of Michigan. Mr. Speaker, I know nothing about this investigation that is being conducted by the Committee on Armed Forces and I know nothing about the merits of the controversy over the B-36. When the gentleman from Louisiana [Mr. BROOKS] was speaking here a few moments ago, in good faith I asked a question the purpose of which was to learn whether or not orders, or directives, rules, or regulations had been issued by anyone in connection with the armed services which hindered the giving of testimony or which required the testimony of those in the services who wanted to give it to be submitted to the "top" for what they call coordination. And how does the gentleman answer me? "Oh," he said, "it was my duty if I had any evidence to present it to the committee." If the gentleman had listened to me he would know that I said I did not have any and that I did not know anything about the controversy. That is the sort of evasive answer I got.

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield.

Mr. BROOKS. I will say to the gentleman from Michigan that if he feels that I have been short in my answer to him or if the gentleman desires to propound a question I will be glad to answer it.

Mr. HOFFMAN of Michigan. Thanks but—I will answer it in my own way now.

Mr. BROOKS. All right.

Mr. HOFFMAN of Michigan. I did not have any evidence but I was just calling attention to how the testimony that was submitted was said to be handled. The press carried the story that there was an order—and the gentleman says that a copy of it may be found in the RECORD—an order which requires those who are about to give testimony to submit it to

somebody in the Department for "coordination." What does coordination mean? In this instance it may mean getting together and telling the same story. You know, that is a rotten way to handle evidence or an investigation. I recall very distinctly when we had the unification bill up that certain admirals who had been down in the Pacific, and certain other officers who were in the Pacific during the war, who were on the ships, who participated in the battles, were gagged, and I use that word advisedly. Finally, Secretary Forrestal came up with an order permitting those officers to testify. Now, if the same thing is happening in connection with this investigation you will not get the truth.

Then, if I understood correctly, the Member complained because the investigation was started on rumors. Well, how in the world did the Teapot Dome investigation get started? On rumors, of course; and I can recall how Senator Wheeler was criticized morning, noon, and night, week in and week out, because he was attacking a member of the administration. That is the way these things come up. And heck is to pay if an administrator, especially an Army officer is questioned. If there is nothing to fear why not let them answer?

To my desk this morning came a letter from an officer who has been sent out to what he called some salt flat in the West. This is from a young man I have known all my life, from the time he was a baby in the crib, right on up to the time he entered the service. He served something like 6 years, including 4 years in the last war. What happened? He wrote something in behalf of a brother officer that was ill advised. He did what I so often do, as well as many other Members of the House, he told his superior what he thought about the situation. What did they do? They sent him out to the salt flats and there he will stick until he has licked somebody's boots, if he ever does. I do not mean to mention his name. I do not care to give his name. He happens to be a grandson of the General Pritchard, who was in command of a Michigan cavalry detachment that aided in capturing Jeff Davis. But that is what some Army officers do. It is a wonder some do not choke on their authority.

Another illustration of conceit is that of somebody down here in the War Department now wants officers to carry swagger sticks. What next? I do not know what they are going to do with them unless they will use them to wave at civilians to get them to bow down and worship the brass.

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Louisiana.

Mr. BROOKS. I may say to the gentleman in answer to the part of his statement which is relevant to the B-36 investigation—

Mr. HOFFMAN of Michigan. I will tell the gentleman how much is relevant.

Mr. BROOKS. Let me answer, if the gentleman will yield.

Mr. HOFFMAN of Michigan. I yield, but not to tell me what is relevant.

Mr. BROOKS. A large part of the testimony was not from Government witnesses. How can the gentleman take exception to the testimony of men like Judge Patterson, who is no longer connected with the Government and would not be influenced one way or the other by any governmental order?

Mr. HOFFMAN of Michigan. I am sorry that I am so ignorant that I cannot make myself clear. I did not, I do not take exception to anyone's testimony. I do not know anything about the testimony that was given. I am talking about this apparent attempt on the part of those higher up to gag those lower down the line. These higher-ups get out an order to coordinate the testimony, which means just one thing to the average fellow in the service. It means fixing up a story.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

#### INVESTIGATION OF THE B-36 PROGRAM

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to proceed for 3 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BROOKS. Mr. Speaker, I have high respect for the gentleman from Michigan, for his ability and for his intelligence, but I think he is leaning on a slender rod when he relies on just one mimeographed order issued by the Defense Department suggestion that copies of the testimony to be used be sent to one central office so that the entire testimony for the hearing may be channeled properly to the Armed Services Committee. That is all the complaint that is made to date in reference to the investigation. If that is all of the evidence the gentleman produces may I say that I completely reiterate and reaffirm every word I said today.

Mr. DOYLE. Mr. Speaker, will the gentleman yield?

Mr. BROOKS. I yield to the gentleman California.

Mr. DOYLE. Is it not a fact, however, that the uncontroverted evidence by all the witnesses before the Armed Services Committee shows that all of the testimony was not submitted to the Office of the Secretary of Defense for coordination, that only that part of the testimony was submitted to the Office of the Secretary of Defense which directly bore on that Office, and that none of the rest of the testimony was so submitted?

Mr. BROOKS. That is true. I want to say that hour by hour we interrogated those witnesses. None of that testimony was submitted to anybody. It came from the hearts and minds of the witnesses.

Mr. DOYLE. Is it not true, contrary to what our colleague from Michigan indicates, General Vandenberg testified none of his testimony was submitted; Secretary of Air Symington testified, and all of the other witnesses so testified, except that part which had definite relationship to the Secretary of Defense? So the premise that the order for coordina-

tion meant that all of the testimony should be submitted, is found in error and not in fact.

Mr. BROOKS. Furthermore, the charges were predicated upon the action of individuals, many of whom are not connected with the Government at the present time, and none of that testimony is coordinated through any governmental agency.

Mr. DURHAM. Mr. Speaker, will the gentleman yield?

Mr. BROOKS. I yield to the gentleman from North Carolina.

Mr. DURHAM. I am sure that the committee, which has already heard from the able counsel who has been selected on a bipartisan basis has not done anything to the effect of not coordinating what was to come before the committee from the department. I feel like the counsel would have already have brought it to the attention of the committee, and as far as I know they have brought in all of the information that they asked for.

Mr. BROOKS. I thank the gentleman.

I want to conclude by saying this: Again, I say, if there is any evidence to be produced it should be brought in to the committee or its counsel immediately so that it can be examined, and in default of that they ought to "put up or shut up."

#### EXTENSION OF REMARKS

Mr. BREHM. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and include a two-column wide article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted, as follows:

To Mr. WELCH of Missouri, for an indefinite period, on account of official business.

To Mr. DENTON (at the request of Mr. MADDEN) for an indefinite period, on account of illness in family.

To Mr. KEOGH (at the request of Mr. DOLLINGER), for Tuesday and Wednesday, August 16 and 17, on account of official business.

To Mr. RIEHLMAN (at the request of Mr. GAMBLE), for Tuesday and Wednesday, August 16 and 17, on account of official business.

#### ENROLLED BILLS SIGNED

Mrs. NORTON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3417. An act to amend the act entitled "An act to provide for cooperation by the Smithsonian Institution with State, educational, and scientific organizations in the United States for continuing ethnological researches on the American Indians," approved April 10, 1928, and for other purposes.

H. R. 3825. An act to amend the Federal Crop Insurance Act.

#### ADJOURNMENT

Mr. PRIEST. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 56 minutes p. m.), the House adjourned until tomorrow, Wednesday, August 17, 1949, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

865. Under clause 2 of rule XXIV, a letter from the Director, Chamber of Deputies, Rio de Janeiro, Brazil, transmitting copies of "Annals of the Constituent Assembly" of 1946, sixteenth and seventeenth volumes, was taken from the Speaker's table, referred to the Committee on Foreign Affairs.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KEE: Committee on Foreign Affairs. House Report No. 1265 (pt. II). Supplemental report to accompany H. R. 5895. A bill to promote the foreign policy and provide for the defense and general welfare of the United States by furnishing military assistance to foreign nations. Referred to the Committee of the Whole House on the State of the Union.

Mr. KERR: Committee on Appropriations. H. R. 6008. A bill making supplemental appropriations for the fiscal year ending June 30, 1950, and for other purposes; without amendment (Rept. No. 1266). Referred to the Committee of the Whole House on the State of the Union.

Mr. SABATH: Committee on Rules. House Resolution 293. Resolution authorizing the Committee on Ways and Means to conduct studies and investigations of matters within its jurisdiction, and for other purposes; without amendment (Rept. No. 1267). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 327. Resolution providing for the consideration of and waiving points of order against H. R. 5895, a bill to promote the foreign policy and provide for the defense and general welfare of the United States by furnishing military assistance to foreign nations; without amendment (Rept. No. 1268). Referred to the House Calendar.

Mr. SPENCE: Committee on Banking and Currency. H. R. 5987. A bill to amend the National Housing Act, as amended, and for other purposes; without amendment (Rept. No. 1269). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. KERR:

H. R. 6008. A bill making supplemental appropriations for the fiscal year ending June 30, 1950, and for other purposes; to the Committee on Appropriations.

By Mr. BEALL:

H. R. 6009. A bill to authorize and direct the Secretary of the Interior to grant a right-of-way across certain land owned by the United States; to the Committee on Public Lands.

By Mr. HARRISON:

H. R. 6010. A bill relating to the apportionment of the pension, compensation, or retirement pay of a veteran for the benefit



of his wife where a limited divorce has been granted; to the Committee on Veterans' Affairs.

By Mr. PASSMAN:

H. R. 6011. A bill to amend the Federal Alcohol Administration Act with respect to labeling and advertising certain domestic whisky as aged; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN:

H. R. 6012. A bill to provide for the issuance of a special postage stamp in commemoration of Fiorello H. LaGuardia; to the Committee on Post Office and Civil Service.

By Mr. PETERSON:

H. R. 6013. A bill to amend an act fixing the price of copies of records furnished by the Department of the Interior; to the Committee on Public Lands.

By Mr. WHITTINGTON:

H. Res. 326. Resolution authorizing and directing the Committee on Public Works to conduct surveys of certain works of improvement; to the Committee on Rules.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mrs. DOUGLAS:

H. R. 6014. A bill for the relief of Conrad R. Fanton; to the Committee on the Judiciary.

H. R. 6015. A bill to legalize the admission to the United States of Arthur Liu McCartney; to the Committee on the Judiciary.

By Mr. HELLER:

H. R. 6016. A bill for the relief of Hirsch Teper; to the Committee on the Judiciary.

H. R. 6017. A bill for the relief of Francesco Carresi; to the Committee on the Judiciary.

By Mr. LICHTENWALTER:

H. R. 6018. A bill for the relief of Lubomir Mikulík and Viliam Krajčovic; to the Committee on the Judiciary.

By Mr. MANSFIELD:

H. R. 6019. A bill to authorize the Secretary of Agriculture to convey certain land in Montana to George G. E. Neill upon payment of the fair market value; to the Committee on Public Lands.

By Mr. SASSER:

H. R. 6020. A bill for the relief of Richard H. Sears; to the Committee on the Judiciary.

By Mr. SHEPPARD:

H. R. 6021. A bill for the relief of F. E. Thibodo; to the Committee on the Judiciary.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1412. By Mr. SMITH of Wisconsin: Petition of sundry citizens of Broadhead, Wis., and outlying rural communities, protesting against S. 1581, National Health Act of 1949, which would disrupt the effective services now being provided by the Food and Drug Administration and further dismember the Children's Bureau; to the Committee on Interstate and Foreign Commerce.

1413. By Mrs. ST. GEORGE: Petition favoring the prohibition of transportation of alcoholic beverage advertising in interstate commerce and the broadcasting of alcoholic beverage advertising over the radio; to the Committee on Interstate and Foreign Commerce.

1414. By the SPEAKER: Petition of Mr. Walter C. Peterson, city clerk, Los Angeles, Calif., relative to urging that immediate statehood be granted to the Territories of

Hawaii and Alaska; to the Committee on Public Lands.

1415. Also, petition of American Urological Association, Atlantic City, N. J., requesting that it be placed on record as being against any form of compulsory health insurance or any system of political medicine designed for bureaucratic control; to the Committee on Interstate and Foreign Commerce.

## SENATE

WEDNESDAY, AUGUST 17, 1949

(Legislative day of Thursday, June 2, 1949)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Rev. Robert N. DuBose, D. D., of the Association of American Colleges, Washington, D. C., offered the following prayer:

Lord of life, Creator of all men, regenerate our wills, purify our aspirations, and refine our ambitions that we may be used of Thee. Unbind our spirits that circumstances may never become our master. Give us ingenuity and resourcefulness and, by the pattern of Thy love, make our lives meaningful.

May the vision of the future challenge those of us gathered here in this great lawmaking body and cause us to make strong and yet stronger the resolution which makes for the better way of life.

May these, our leaders, be given wisdom as they face the problem of strife and discord in our own Nation and in our international relations.

In simple faith and trust, in loyalty and self-abnegation, in humility and gratitude, we pray. Amen.

#### THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, August 16, 1949, was dispensed with.

#### MESSAGES FROM THE PRESIDENT— APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On August 13, 1949:

S. 1323. An act to declare that the United States holds certain lands in trust for the Pueblo Indians and the Canoncito Navajo group in New Mexico, and for other purposes.

On August 15, 1949:

S. 1278. An act to fix the United States share of project costs, under the Federal Airport Act, involved in installation of high intensity lighting on CAA-designated instrument-landing runways.

On August 16, 1949:

S. 1918. An act to authorize the Commissioners of the District of Columbia to appoint contracting officers to make contracts in amounts not exceeding \$3,000.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, severally with an

amendment, the following bills of the Senate, in which it requested the concurrence of the Senate:

S. 331. An act for the relief of Ghelak Polak Kahan, Magdalena Linda Kahan (wife), and Susanna Kahan (daughter, 12 years old);

S. 520. An act to authorize and direct the Secretary of the Interior to issue to Leo Farwell Glenn, a Crow allottee, a patent in fee to certain lands; and

S. 1361. An act to authorize and direct the Secretary of the Interior to issue to John Grayeagle a patent in fee to certain land.

The message also announced that the House had passed the following bills and joint resolution in which it requested the concurrence of the Senate:

H. R. 587. An act for the relief of the estate of Dick Walook, Alfred L. Woods, and Edward Kimoktoak;

H. R. 715. An act for the relief of Manuel Uribe;

H. R. 1024. An act for the relief of Jacob Brown;

H. R. 1106. An act for the relief of King V. Clark;

H. R. 1484. An act for the relief of Mrs. Mary Capodanno and the legal guardian of Vincent Capodanno;

H. R. 1485. An act for the relief of Josephine Lisitano;

H. R. 1600. An act for the relief of Gustav Schilbred;

H. R. 2075. An act for the relief of Frank G. Moore;

H. R. 2266. An act for the relief of Morris Tutnauer;

H. R. 2758. An act for the relief of the Fisher Brewing Co.;

H. R. 3081. An act for the relief of the estate of Maurice G. Evans;

H. R. 3405. An act for the relief of Vivian Newell Price;

H. R. 3498. An act for the relief of the Gluckin Corp.;

H. R. 3499. An act to confer jurisdiction upon the United States District Court for the Central Division of the Southern District of California to hear, determine, and render judgment upon the claim of Mabel Collier;

H. R. 3769. An act for the relief of Doris M. Faulkner;

H. R. 3804. An act for the relief of Fred B. Niswonger;

H. R. 3810. An act for the relief of Cecil E. Gordon;

H. R. 3863. An act for the relief of Carl C. Ballard;

H. R. 3864. An act to convey certain lands taken from W. W. Stewart by the United States;

H. R. 4165. An act for the relief of Katharine H. Clagett;

H. R. 4556. An act for the relief of the estate of Elmo Sodergren;

H. R. 4563. An act for the relief of Mrs. Sarah E. Thompson;

H. R. 4777. An act for the relief of J. D. Lecky;

H. R. 4889. An act for the relief of Mrs. Jack J. O'Connell;

H. R. 5149. An act for the relief of Fernando Aboitz;

H. R. 5319. An act granting a renewal of patent No. 40,029, relating to the badge of the Holy Name Society;

H. R. 5353. An act for the relief of Max Schleuderer;

H. R. 5375. An act for the relief of Mrs. Hilda De Silva;

H. R. 5539. An act for the relief of Mrs. Claudia Weitlaner;

H. R. 5582. An act for the relief of the Belle Isle Cab Co., Inc.;

H. R. 5777. An act for the relief of Joe D. Dutton;